

# The Gazette of India



PUBLISHED BY AUTHORITY

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 No. 15] NEW DELHI, SATURDAY, APRIL 15, 1961/CHAITRA 25, 1883
 

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## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 6th April, 1961:—

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Issue No.	No. and Date	Issued by	Subject
73	S. O. 737, dated 1st April, 1961.	Ministry of Labour and Employment.	Extending the period of operation of the award of National Industrial Tribunal, Bombay (S. O. 578 dated 4th March, 1960) by 3 months.
74	S. O. 738, dated 3rd April, 1961.	Ministry of Commerce and Industry.	The Cinema Carbons (Control) Order, 1961.
75	S. O. 739, dated 4th April, 1961.	Election Commission, India.	Calling upon the elected members of the Legislative Assembly of Uttar Pradesh to elect a person to fill the vacancy caused by the death of Shri Govind Ballabh Pant in the Council of States.
	S. O. 740, dated 4th April, 1961.	Do.	Appointing dates for the election referred to above, (S. O. 739).
	S. O. 741, dated 4th April, 1961.	Do.	Designating the Secretary, Uttar Pradesh Legislature, Lucknow, to be the Returning Officer for the election referred to in S. O. 739 above.
	S. O. 742, dated 4th April, 1961.	Do.	Appointing the Secretary, Uttar Pradesh Legislative Assembly, Lucknow, to assist the Returning Officer, in the election referred to in S. O. 739 above.

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Issue No	No. and Date	Issued by	Subject
	S O. 743, dated April, 1961.	4th Election Commission, India.	Fixation of hours in the election referred to in S. O. 739 above.
	S O 744, dated April, 1961.	4th Do.	Corrigenda to Notification No. 282/O. R /61, dated 24th March, 1961.
76	S O. 745, dated April, 1961.	4th Do.	Calling upon the Aurangabad Parliamentary Constituency, Bihar, to elect a person in the vacancy caused by the resignation of Shri Satyendra Narain Singh.
	S O 746, dated April, 1961.	4th Do.	Appointing dates for the bye-election referred to in S. O. 745 above.
	S. O 747, dated April, 1961.	4th Do.	Fixation of hours for the bye-election referred to in S. O. 745 above
	S. O 748, dated April, 1961.	4th Do.	Direction that method of voting by marking the ballot papers shall be followed at all the polling stations in the bye-election referred to in S O. 745 above.
77	S. O. 749, dated April, 1961.	4th Ministry of Steel, Mines and Fuel.	Amendment to S. O 2112 dated 24th August, 1960.
78	S. O. 795, dated April, 1961.	5th Ministry of Commerce and Industry.	Amendment to S. O. 1162 dated 4th May, 1960.
79	S. Os., 796 and 797, dated 5th April, 1961.	Ministry of Information and Broadcasting.	Approval of films specified therein.
80	S. O. 797-A, dated April, 1961.	5th Ministry of Transport and Communications.	Order that no aircraft shall fly over areas mentioned therein and under conditions specified therein.
81	S. O. 798, dated April, 1961.	6th Ministry of Law	. Declaration containing the name of the candidate elected by the New Delhi Constituency

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

### PART II—Section 3—Sub-section (ii)

**Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).**

#### MINISTRY OF FINANCE

##### (Department of Revenue)

##### CUSTOMS

*New Delhi, the 15th April 1961*

**S.O. 805.**—In exercise of the powers conferred by section 188 of the Sea Customs Act, 1878 (8 of 1878), the Central Government hereby empowers the Collector of Central Excise, Allahabad, who has been authorised to perform the duties

of a Customs Collector under the Central Board of Revenue Notification No. 172-Customs dated the 22nd December, 1956, to hear appeals from the decisions or orders passed by Officers of Customs subordinate to him provided that if, between the date of the decision or order and the date of hearing of the appeal, the Officer who passed such decision or order has been promoted to be the Collector of Central Excise by whom the appeal would otherwise be heard, the appeal shall lie to the Central Board of Revenue.

[No. 47/F.No. 100/18/61-L.C.I.]

M. C. DAS, Dy. Secy.

## (Department of Economic Affairs)

New Delhi, the 6th April 1961

S.O. 806.—Statement of the Affairs of the Reserve Bank of India, as on the 31st March, 1961.

## BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up . . . . .	5,00,00,000	Notes . . . . .	7,84,43,000
Reserve Fund . . . . .	80,00,00,000	Rupee Coin . . . . .	3,21,000
National Agricultural Credit (Long-term Operations) Fund . . . . .	40,00,00,000	Subsidiary Coin . . . . .	6,06,000
National Agricultural Credit (Stabilisation) Fund . . . . .	5,00,00,000	Bills Purchased and Discounted:—	
		(a) Internal . . . . .	..
		(b) External . . . . .	..
		(c) Government Treasury Bills . . . . .	39,17,04,000
Deposits :—		Balances held abroad* . . . . .	13,23,79,000
(a) Government		Loans and Advances to Governments** . . . . .	39,02,49,000
(1) Central Government . . . . .	76,45,78,000	Other Loans and Advances† . . . . .	185,49,73,000
(2) Other Governments . . . . .	28,98,78,000	Investments . . . . .	180,95,09,000
(b) Banks . . . . .	70,84,78,000	Other Assets . . . . .	19,82,05,000
(c) Others . . . . .	87,95,78,000		
Bills Payable . . . . .	43,10,91,000		
Other Liabilities . . . . .	48,27,86,000		
	RUPEES . . . . .		RUPEES . . . . .
	485,63,89,000		485,63,89,000

\*Includes Cash &amp; Short-term Securities.

\*\*Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 45,38,50,000/- advanced to scheduled banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

Dated the 5th day of April, 1961.

An account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 31st day of March, 1961.

ISSUE DEPARTMENT

Liabilities	Rs.	Ra.	Assets	Rs.	Ra.
Notes held in the Banking Department . . . .	7,84,43,000		A. Gold Coin and Bullion :—		
Notes in circulation . . . .	1984,74,43,000		(a) Held in India . . . .	117,76,03,000	
Total Notes issued . . . .		1992,58,86,000	(b) Held outside India . . . .	..	
			Foreign Securities . . . .	123,00,89,000	
			TOTAL OF A . . . .		240,76,92,000
			B. Rupee Coin . . . .		119,61,68,000
			Government of India Rupee Securities . . . .		1632,20,26,000
			Internal Bills of Exchange and other commercial paper . . . .		..
TOTAL LIABILITIES . . . .		1992,58,86,000	TOTAL ASSETS . . . .		1992,58,86,000

Dated the 5th day of April, 1961.

M. V. RANGACHARI,  
Dy. Governor.

[No. F. 3 (2)-BC/61.]  
A. BAKSI, Jt. Secy.

ERRATUM

In Statement of Affairs of the Reserve Bank of India as on 10th March, 1961, published in the Gazette of India Part II—Section 3(ii), dated 25th March, 1961, as S.O. 650, the following correction is to be made:—

Page 692, in Assets Column, under Issue Department, against Foreign Securities—

For the figures "118,00,89,000"

Read "128,00,89,000".

**THE MYSORE COLLECTORATE OF CENTRAL EXCISE : BANGALORE***Bangalore, the 18th March, 1961*

**S. O. 807.**—In exercise of the powers vested in me under Rule 5 of the Central Excise Rules, 1944 and in supersession of all previous notifications detailed below :—

- (i) Notification No. 4/58 dated 3-4-1958.
- (ii) Notification No. 15/58 dated 26-11-1958.
- (iii) Notification No. 1/59 dated 9-3-1959.
- (iv) Notification No. 4/59 dated 25-4-1959.
- (v) Notification No. 9/59 dated 7-9-1959.
- (vi) Notification No. 11/59 dated 9-10-1959.
- (vii) Notification No. 12/59 dated 11-12-1959.
- (viii) Notification No. 11/60 dated 31-7-1960.
- (ix) Notification No. 13/60 dated 25-8-1960.
- (x) Notification No. 14/60 dated 8-9-1960.
- (xi) Notification No. 17/60 dated 5-10-1960.

including amendments issued thereto, I hereby empower the Central Excise Officers of and above the rank specified in column 1 of the table below, to exercise within their respective jurisdiction the powers of Collector conferred by the provisions of the Rules enumerated in column 2 subject to the extent of authority and limitations, if any, set out in column 3 of the table.

Rank of Officer	Rule	Extent of authority and or limitations
1	2	3
Assistant Collectors . . . .	9-B(2) & (3) 12-A . . . . 14 14-A . . . . 27(4) . . . . 49 Proviso(i)  65(3) & (4) . 75 . . . . 92-A(3) . . . 92-E(i) . . . 92E (iii) . . . 93-(b) . . . .  96-I(2) & (3). 96-M(i) . . . 96-O(3) . . . 96-S(i) . . . 96-S(iii) . . . 97 . . . .	In case of exports through ports other than major ports.  (i) To remit duty on goods lost over board provided the duty involved in each individual case is not more than Rs. 250/-. (ii) to issue demands for payment of duty and to impose penalty upto Rs. 250/- in any one case. Provided the duty involved in each case is not more than Rs. 250/-. To sanction remission of duty provided duty involved on goods lost by natural causes or by unavoidable accidents does not exceed Rs. 500/- in each case.          For the sake of coordination it should be reported to the Collector.

I	2	3
	97-A . . .	
	100 . . .	
	145 Clause (a) first proviso. . .	
	147 . . .	Provided the duty involved in each individual case is not more than Rs. 250/-.
	183 . . .	
	184 . . .	
	185(1) . . .	
	189 . . .	
	192 . . .	The power of fixing the cost of Supervising Staff will be retained by the Collector.
	193 . . .	
	196 . . .	To sanction remission of duty provided the duty involved on the goods lost by natural causes or accident does not exceed Rs. 500/- in each case.
	223-A . . .	
	227(1) . . .	
	229 . . .	
	230 . . .	
Superintendent . . . . .	3. . . . .	
	9-(1) . . .	(i) Account current should be maintained in Collector's name.
	proviso (2) . . .	(ii) Formal approval of Collector should be taken at the end of each month.
	12 . . .	Powers under provisos (iii) and (vii) to Government of India Notification No. 10 Central Excises dated 5-4-49 shall be exercised by officers of and above the rank of Superintendent and powers under Proviso (v) of that notification by officers of and above the rank of Assistant Collectors.
	38 . . .	
	47(1) . . .	
	49 . . .	Superintendents can order destruction in respect of unmarketable manufactured excisable goods other than Tea in cases where the duty involved does not exceed Rs. 250/- and Assistant Collectors in cases where the duty involved does not exceed Rs. 1,000/-.
	Proviso (2) . . .	
	59 . . .	
	71(3) . . .	Copies of approved labels to be submitted to collector for record.
	92-A (1) & (2) . . .	
	92-A(4) . . .	Superintendents can accept renewal applications. Delays in submission of such applications not exceeding 15 days can be condoned by them. Where the delays exceed 15 days the power to condone them is reserved to the Assistant Collectors.

I

2

3

- 92 C(2) | . Superintendents can condone delays not exceeding (i) 2 days in the case of weekly applications and weekly deposits and (ii) 5 days in the case of monthly applications and monthly deposits. Where the delays exceed 2 days in the case of weekly applications and weekly deposits and five days in the case of monthly applications and monthly deposits the power to condone them is reserved to Assistant Collectors.
- 96-I(1). .
- 95-I(4). . Superintendents can accept renewal applications. Delays in submission of such applications can be condoned by Superintendents provided the delays do not exceed 15 days. Where delays exceed 15 days the power to condone such delays is reserved to the Assistant Collectors.
- 96-K(2) . Superintendents can condone delays not exceeding 5 days in submission of monthly applications and payment of monthly deposits. The power to condone delays exceeding 5 days is reserved to Assistant Collectors.
- 96-O (1) & (2)
- 96-O(4) . Superintendents can accept renewal applications. Delays in submission of such applications can be condoned by Superintendents provided the delays do not exceed 15 days. Where the delays exceed 15 days the power to condone such delays is reserved to the Assistant Collectors.
- 96-Q(2) Superintendents can condone delays not exceeding (i) 2 days in cases of weekly applications and weekly deposits and (ii) 5 days in cases of monthly applications and monthly deposits. Where the delays exceed 2 days in the case of weekly applications and weekly deposits and five days in the case of monthly applications and monthly deposits the power to condone such delays is reserved to the Assistant Collectors.
- 154 . .
- 164 . .
- 165(2) .
- 191-B Powers of Collector under para (iv) of Government of India Notification No. 53/59 dated 9-5-1959 only are delegated. All other powers are reserved to Collector.
- 206 Superintendents can order release of seized goods in cases where the value of the goods does not exceed Rs 1,000/- and Assistant Collectors in cases where the value of the goods does not exceed Rs 5,000/-. Superintendents can accept B II (Sec) Bonds.
- 210-A . Superintendents will exercise the power in cases where the value of goods does not exceed Rs. 1,000/- and Asstt Collectors in cases where the value of goods does not exceed Rs. 5,000/-



1	2	3
	212 .	Superintendents and authorise destruction of confiscated tobacco which fails to attract bidders in cases where the weight of tobacco does not exceed 10 quintals. Assistant Collectors can authorise destruction of tobacco confiscated by them and by Superintendents but not redeemed within the period fixed in their adjudication orders.
	224(1) .	Permissions granted should be reported to Collector at the end of each month.
Inspectors . . . .	13 . .	In so far as it relates to acceptance of individual bonds executed for export under ordinary procedure. Bonds executed for export under special procedure shall be accepted by officers of and above the rank of Superintendents.
	27 . .	Power to prescribe an alternative form of store-room register is reserved with the Collector.
	153 . .	
Sub-Inspector . . . .	144 . .	
Licensing Authority . . . .	43 . .	
	44 . .	
	46 . .	
	47(3) . .	
	48 . .	
	57(d) . .	
	180 . .	
	140 . .	To be exercised in respect of private bonded warehouses only.
Officer who originally accepts bonds under Rules 140 and 164	155 . .	

[No. 1/1961]

(Issued from file C. No. IV(16)79/61 B. 1)

A. R. SHANMUGAM, Collector.

## CENTRAL EXCISE COLLECTORATE BARODA

### CENTRAL EXCISE

#### MANUFACTURED PRODUCTS

Baroda, the 22nd March, 1961

**S.O. 808**—In exercise of the powers conferred on me under Rule 5 of the Central Excise Rules 1944, I empower the officers of Central Excise Collectorate Baroda, not below the rank specified in column 6 of the sub-joined table, to exercise,

within their respective jurisdictions, the powers of the 'Collector' under the Rules enumerated in columns (3), (4) and (5) of the said table:—

Serial No.	Nature of powers conferred on Collector	Rule Number			Collector's powers delegated to
		Power-looms	V.N.E. oils	Khand-dari	
1	2	3	4	5	6
1	To accept first A.S. P. application for full period for which special procedure can be availed of.	96-I(1)	96-o(1)	92-A(1)	Superintendent.
2	To accept first A.S.P. application for a period less than the prescribed period.	96-I(2)	96-O(2)	96-A(2)	(i) Asstt. Collector in respect of Rule 96-I(2), (ii) Superintendent in respect of Rules 96-O(2) and 96-A(2).
3	To determine the period for which a manufacturer may be precluded from working under the special procedure for failure to avail of such procedure during the period for which permission has been granted to him.	96-I(3)	96-o(3)	92-A(3)	Assistant Collector.
4	(a) To accept renewal applications in form A.S.P.	96-I(4)	96-o(4)	92-A(4)	Superintendent.
	(b) To condone delay in submission of A.S.P. application for renewal.	Do.	Do.	Do.	(i) Superintendent for condoning delay not exceeding 15 days. (ii) A.C. for condoning delays exceeding 15 days.
5	To condone delay in submission of application for removal in form A.R.6, A.R.7 and A.R.8, and to condone delays in making weekly/monthly deposits.	96-K(2)	96-Q(2)	92-C(2)	(a) Superintendent for condoning delays not exceeding (i) 2 days in the case of weekly applications and weekly deposits (ii) 5 days in the case of monthly applications and monthly deposits. (b) A.C. if the delay exceeds the limits under (a) above.
6	To impose following penalties for misdeclaration etc.				
	(i) to demand duty at full rate.	96-M(i)	96-S(i)	92-E(i)	Assistant Collector. } Adjudicating officers in accordance with their normal limits of powers.
	(ii) to confiscate goods.	96-M(ii)	96-S(ii)	92-E(ii)	
	(iii) to impose penalty not exceeding Rs. 2,000/-	96-M(iii)	96-S(iii)	92-E(iv)	

1	2	3	4	5	6
	(iv) To debar a manufacturer from availing of the special procedure.	No provision.	96-S(iii)	92-E(iii)	Assistant Collector.

2. The Collectorate Central Excise M.P. Notifications 4/60, and 5/60 and item Nos. I and II of the amendment No. 2 of 58 to Notification No. 1/58 are hereby cancelled.

[No. 1/1961.]

R. PRASAD, Collector.

**OFFICE OF THE ASSTT. COLLECTOR OF CENTRAL EXCISE AND LAND  
CUSTOMS: GOA FRONTIER DIVISION: BELGAUM**

**NOTICE**

*Belgaum, the 1st April, 1961*

**S.O. 809.**—Whereas it appears that the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border, were imported by land from Goa (Portuguese possession in India) in contravention of the Rules & notifications as mentioned against each.

Se- rial No.	Date and Place of seizure	By whom detected	Description of goods	Quantity	Rules
49/61	21-11-1960 Am- boli S.T. Bus stand	Inspir., C.Ex., FS. Amboli	1 trunk contain- ing 7 O' clock blades and a bed sheet	60 pkts of Blades One bed sheet	Sec. 5(1) of the Land Customs Act 1924 and Government of India, Ministry of Commerce and In- dustry, Import Con- trol Order No. 17/55 dated 7-12-55 issued under Sec- tions 3 and 4-A of the Imports and Ex- ports Control Act 1947 and further deemed to have been issued under Sec. 19 of the Sea Cus- toms Act 1878.

2. Now therefore, any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise & Land Customs Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act 1924 and read with Section 167(8) of the Sea Customs Act 1878 and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act 1924 read with Section 167(8) of the Sea Customs Act 1878.

3. If such an owner fails to turn up to claim the above mentioned goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-49/61.]

**E. R. SRIKANTIA**, Asstt. Collector.

**OFFICE OF THE SUPERINTENDENT OF CENTRAL EXCISE AND LAND  
CUSTOMS, VAPI**

**NOTICE**

*Vapi, the 5th April, 1961*

**S O 810**—Whereas it appears that the belowmentioned unclaimed goods which were seized by the CID Staff on 29th March, 1961, at about 20—30 hours at Kewdi faria were imported from Daman by land by an unauthorised route in contravention of section 5(1) of the Land Customs Act 1924 and the Government of India, Ministry of Commerce and Industry Imports (Control) Order No 17/55 of 7th December, 1955 as amended and issued under sections 3 and 4A of the Imports and Exports (Control) Act 1947 and deemed to have been issued under section 19 of the Sea Customs Act 1878

2 Now therefore, any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise and Land Customs Bombay Division III New Central Excise Building, Queen's Road opposite Churchgate Station Bombay why the belowmentioned goods should not be confiscated under section 5(3) of the Land Customs Act 1924 and section 167(8) of the Sea Customs Act 1878 read with section 3(2) of the Imports and Exports (Control) Act 1947 and why a penalty should not be imposed on him under section 7(1)(c) of the Land Customs Act 1924 read with section 167(8) of the Sea Customs Act 1878

3 If such an owner fails to turn up to claim the ownership of the goods as mentioned below or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette New Delhi the goods in question will be treated as unclaimed property and the case will be decided accordingly by the Assistant Collector of Central Excise and Land Customs Bombay III Division

Desription	Quantity	Value
Henry Sandoz and Fils, 21 jewels, Swiss made with calendar, Rolledgold frame, Stainless steel back bearing No 14862	22 Nos	2750 00

[No VIII(b) 15-70/61.]

K M SHAH,  
Superintendent.

**MINISTRY OF COMMERCE AND INDUSTRY**

**TEA CONTROL**

*New Delhi, the 5th April 1961*

**S.O 811.**—In exercise of the powers conferred by sub section (3) of section 4 of the Tea Act, 1953 (29 of 1953) the C-ntral Government hereby appoints Shri A S Bam, ICS, as Chairman, Tea Board with effect from the forenoon of the 28th March, 1961.

[No 1(18)Plant(A)/61]

**RUBBER CONTROL**

*New Delhi, the 10th April 1961*

**S.O 812**—In exercise of the powers conferred by clauses (b) and (c) of sub-section (3) of section 4 of the Rubber Act, 1947, (24 of 1947), read with sub rules (2) and (3) of rule 3 of the Rubber Rules 1955 the Central Government hereby notifies that the Governments of Madras and Kerala have nominated Shri C A R Bhadrar and Dr M S Nair as members of the Rubber Board to represent the Governments of Madras and Kerala respectively and directs that the

following further amendments shall be made in the notification of the Government of India in the Ministry of Commerce and Industry No. S.O. 2084, dated the 6th October, 1958, namely:—

In the said Notification, for the entries.

- “(1) Shri A. Venkatesan, Director of Agriculture, Government of Madras, Madras”.
- “(2) Shri K. C. Sankaranarayanan, Director of Rubber Plantations, Government of Kerala, Trivandrum”.

the following entries shall be substituted, namely:—

- “(1) Shri C. A. R. Bhadrar, Chief Conservator of Forests, Government of Madras, Madras”.
- “(2) Dr. M. S. Nair, Director of Rubber Plantations, Government of Kerala, Trivandrum”.

[No. 15(4) Plant(B)/58.].

B. KRISHNAMURTHY, Under Secy.

**Office of the Deputy Chief Controller of Imports and Exports  
(Central Licensing Area)**

**NOTICE**

*New Delhi, the 22nd March 1961*

**S.O. 813.**—It is hereby notified, that in exercise of the powers conferred by clause 9 of the Import (Control) Order, 1955, the Government of India, in the Ministry of Commerce and Industry propose to cancel the Import Licence Nos. E441967/60/EI/CCI/D and E441970/60/EI/CCI/D both dated 7th January 1961 for import of Chemicals N.O.S. for Rs. 6008 only and for Borax for Rs. 10266 only respectively from S.C.A. except Union of South Africa and South West Africa, granted by the Deputy Chief Controller of Imports and Exports, Central Licensing Area, New Delhi to M/s. Sant Singh Arjan Singh, Hanuman Street, Hathras (U.P.) unless sufficient cause against this is furnished to the Deputy Chief Controller of Imports and Exports, Central Licensing Area, New Delhi within ten days of the date of issue of this notice by the said M/s. Sant Singh Arjan Singh, Hanuman Street, Hathras (U.P.) or any bank or any other party, who may be interested in it.

In view of what is stated above M/s. Sant Singh Arjan Singh, Hanuman Street, Hathras (U.P.) or any bank, or any other party, who may be interested in the said Licence Nos. E441967/60/EI/CCI/D and E441970/60/EI/CCI/D both dated 7th January 1961 are hereby directed not to enter into any commitments against the said licences and return the same immediately to the Deputy Chief Controller of Imports and Exports, Central Licensing Area, Janpath Barracks 'B', New Delhi.

[No. DCCI/I(CLA)/1/61.]

**RAM MURTI SHARMA,**

Dy. Chief Controller of Imports & Exports.

**(Indian Standards Institution)**

*New Delhi, the 3rd April 1961*

**S.O. 814.**—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed, have been established during the period 16th March to 31st March, 1961.

## THE SCHEDULE

Serial No.	No. and title of the Indian Standard established	No. and title of the Indian Standard or Standards if any, superseded by the new Indian Standard	Brief Particulars
1	2	3	4
1	IS: 603-1960 Code of Practice for Construction of Underground Rural Food Grain Storage Structures	..	This standard lays down the method of construction of underground rural food grain bulk storage structures. (Price Rs. 2.00)
2	IS: 947-1960 Specification for Towing Tender for Trailer Pump for Fire Brigade use	..	This standard lays down the requirements regarding road performance, engine, pump, water tank and connecting pipe work and tests of towing tender for trailer pump for fire brigade use (Price Rs. 3.00)
3	IS: 1608-1960 Method for Tensile Testing of Steel Products other than Sheet, Strip, Wire and Tube	..	This standard prescribes the method of conducting tensile test on steel products other than sheet, strip wire and tube (Price Rs. 2.50)
4	IS: 1679-1960 Specification for Sugar used in Food Preservation Industry	..	This standard prescribes the requirements and the methods of test for Sugar used in food preservation industry. (Price Rs. 5.00)
5	IS: 1680-1960 Code of Practice for Treatment of Water for Land Boilers.	..	This standard deals with the conditions to be aimed at and the chemical methods of attaining them for water for land boilers to overcome the troubles experienced in the water side of boilers generally operating below 18 Kg/cm <sup>2</sup> (or 250 lb/in. <sup>2</sup> ) pressure. (Price Rs. 6.00)
6	IS: 1695-1960 Specification for Sunset Yellow FCF	..	This standard prescribes the requirements and the methods of test for sunset yellow FCF. (Price Rs. 2.00)
7	IS: 1699-1960 Methods of Sampling and Test for Coal Tar Food Colours	..	This standard prescribes the methods of sampling and determination of volatile matter at 135°C, water-insoluble matter, combined ether extracts, mixed oxides, arsenic, and lead in permitted coal tar food colours. (Price Rs. 3.50)
8	IS: 1700-1960 Specification for Drinking Fountains	..	This specification covers the material, construction, essential hygienic and performance requirements and finish of drinking fountains used in schools, parks and other public places. (Price Rs. 1.50)

1	2	3	4
9	IS: 1711-1960 Specification for Self-Closing Taps	..	This standard lays down the nominal sizes and requirements regarding material, manufacture and workmanship, design, construction, finish, testing and marking of self-closing taps with or without stuffing box. (Price Rs. 2.00)
10	IS: 1726-1960 Specification for Cast Iron Manhole Covers and Frames intended for use in Drainage Works	..	This standard lays down requirements for cast iron manhole covers and frames intended for use in drainage works. (Price Rs. 3.00)
11	IS: 1733-1960 Specification for Aluminium Milk Strainers	..	This standard prescribes the quality and dimensional requirements for aluminium milk strainers for use with single service filtering medium. (Price Rs. 2.00)

Copies of these Indian Standards are available for sale with the Indian Standards Institution, "Manak Bhavan" 9 Mathura Road, New Delhi-1 and also at its Branch Offices at (i) 232, Dr. Dadabhoi Naoroji Road, Bombay-1, (ii) Third Floor, 11 Sooterk in Street, Calcutta-13, and (iii) 2/21 First Line Beach, Madras-1.

[No. MD/13:2]

**S. O. 815.**—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that 17 licences, particulars of which are given in the Schedule hereto annexed, have been renewed.

## THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity		Name and Address of the Licensee	Article covered by the licence	Relevant Indian Standard
		From	To			
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	CM/L—7 27-12-55	1-4-61	31-3-62	The Pioneer Magnesia Works Ltd., 113/115 Mahatma Gandhi Road, Fort, Bombay.	Magnesium Chloride, Technical	IS : 254-1950 Specification for Magnesium Chloride, Technical
2	CM/L—26 21-3-57	1-4-61	31-3-64	M/s. Carew & Co. Ltd., Rosa, Distt. Shahjahanpur (U.P.)	Rectified Spirit, Grade A	IS : 323-1959 Specification for Rectified Spirit ( <i>Revised</i> ).
3	CM/L—71 13-3-58	1-4-61	31-3-64	M/s. Travancore Chemical & Mfg. Co. Ltd., Manjummal, Post Box No. 19, Alwaye.	Copper Sulphate, Technical	IS : 261-1950 Specification for Copper Sulphate, Technical.
4	CM/L—72 13-3-58	Do.		The Hindustan Electric Co. Ltd., Industrial Area, New Township, Faridabad (Punjab).	Three-Phase Induction Motors, From 1 H.P. to 10 H.P.	IS : 325-1959 Specification for Three-Phase Induction Motors ( <i>Revised</i> ).
5	CM/L—75 14-3-58	1-4-61	31-3-64	The Alkali & Chemical Corpn. of India Ltd., 34 Chowringhee, Calcutta-16.	BHC Water Dispersible Powder Concentrates.	IS : 562-1958 Specification for BHC Water Dispersible Powder Concentrates ( <i>Revised</i> ).
6	CM/L—170 11-3-60	1-4-61	31-3-62	The Britannia Biscuits Co. Ltd., 15 Taratolla Road, Calcutta-27.	Biscuits (Excluding Wafer Biscuits).	IS : 1011-1957 Specification for Biscuits (Excluding Wafer Biscuits).
7	CM/L—171 11-3-60	1-4-61	31-3-62	The Britannia Biscuit Co. Ltd., Reay Road, East, Mazagaon, Bombay-10.	Biscuits (Excluding Wafer Biscuits)	IS : 1011-1957 Specification for Biscuits (Excluding Wafer Biscuits)
8	CM/L—172 11-3-60	Do.		M/s. Parle Products Mfg. Co. Pvt. Ltd., North Level Crossing Vile Parle, Bombay.	Do.	Do.
9	CM/L—173 11-3-60	Do.		M/s. Lily Biscuits Co. Private Ltd., 31 Ramakant Sen Lane, Ultradanga, Calcutta-4.	Do.	Do.



10	CM/L—174 11-3-60	Do.	The Sathe Biscuit & Chocolate Co. Ltd., 820, Bhawani Peth, Poona-2.	Do.	Do.
11	CM/L—175 14-3-60	Do.	M/s. Camlin Private Ltd., 210 Lady Jamshedji Road, Mahim, Bombay-16.	Ferro-Gallo Tennate Fountain Pen Ink (0.1 Percent Iron Content).	IS: 220-1959 Specification for Ferro-Gallo Tennate Fountain Pen Ink Co. 1 percent iron Content).
12	CM/L—176 14-3-60	Do.	Do.	Dye-Based Fountain Pen Ink, Blue.	IS: 1221-1957 Specification for Dye-Based Fountain Pen Inks (Blue, Green, Violet, Black & Red).
13	CM/L—162 5-2-60	1-4-61	31-3-62 M/s. National Pipes & Tubes Co. Ltd., Nicco House, Hare St., Calcutta.	(a) Naval Brass Rods, Bars & Sections. (b) Free Cutting Brass Rods & Bars for use in Screw Machines. (c) High Strength Brass Rods, Bars and Sections.	IS: 291-1951 Specification for Naval Brass Rods Bars & Sections. IS: 319-1951 Specification for Free Cutting Brass Rods and Bars for use in Screw Machines. IS: 320-1951 Specification for High Strength Brass Rods, Bars and Sections.
14	CM—L/163 5-2-60	Do.	Do.	(a) Copper Rods for Boiler Stays. (b) Copper Bars and Rods for Electrical Purposes.	IS: 288-1960 Specification for Copper Rods for Boiler Stay Bolts and Rivets ( <i>Revised</i> ). IS: 613-1954 Specification for Copper Bars and Rods for Electrical Purposes.
15	CM/L—164 5-2-60	Do.	Do.	Lead Sheets for General Purposes.	IS: 405-1952 Specification for Lead Sheets for General Purposes.
16	CM/L—165 5-2-60	Do.	Do.	Brass Tubes for General Purposes	IS: 407-1952 Specification for Brass Tubes for General Purposes.
17	CM/L—120 20-3-49	Do.	M/s. Himalayan Plywood Industries (P) Ltd., Tinsukia (Assam)	Tea-Chest Plywood Panels	IS: 10-1953 Specification for Plywood Tea-Chest ( <i>Revised</i> ).

[No. MD/12:47].

**S. O. 816.**—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standard Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that ten licences, particulars of which are given in the Schedule hereto annexed, have been granted authorizing the licensees to use the Standard Mark.

## THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity		Name and Address of the Licensee	Article/Process covered by the licence	Relevant Indian Standard
		From	To			
1	2	3	4	5	6	
1	CM/L—280 13-3-61	20-3-61	19-3-62	M/s. Jayshree Plywoods, Prop. Jayshree Tea and Industries Ltd., India Exchange, Calcutta.	Tea-Chest Plywood Panels	IS: 10-1953 Specification for Plywood Tea-Chests ( <i>Revised</i> ).
2	CM/L—281 14-3-61	1-4-61	31-3-62	M/s. Sulekha Works Ltd., Sulekha Park, Jadavpur, Calcutta-32.	Blue-Black Superior Fluid Ink for writing	IS: 222-1950 Specification for Blue-Black Superior Fluid Ink for writing.
3	CM/L—282 14-3-61		Do.	M/s. Zenith Fire Services, 166, Dr. Dadabhai Naoroji Rd., Khandelwal Bhavan, Bombay-1.	Portable Chemical Fire Extinguisher, Foam Type	IS: 933-1959 Specification for Portable Chemical Fire Extinguisher, Foam Type.
4	CM/L—283 14-3-61		Do.	M/s. Bharat Barrel & Drum Mfg. Co. Pvt. Ltd., 5, Kali Prosanna Singhee Rd., Calcutta-2.	Steel Drums . . . . .	IS: 1549-1960 Specification for Steel Drums & Kegs (Galvanized & Ungalvanized).
5	CM/L—284 24-3-61	15-4-61	14-4-62	M/s. Huns Dewan & Co., 158-Upper Duncan Road, Byculla, Bombay-8.	Biscuits (Excluding Wafer Biscuits)	IS: 1011-1957 Specification for Biscuits (Excluding Wafer Biscuits)
6	CM/L—285 28-3-51		Do.	M/s. All India Medical Corporation, Mulji Jetha Bldg., 185, Princess St., Bombay-2.	BHC Dusting Powders	IS: 561-1958 Specification for BHC Dusting Powders ( <i>Revised</i> ).
7	CM/L—286 28-3-61		Do.	Do.	DDT Dusting Powders . . . . .	IS: 564-1955 Specification for DDT Dusting Powders
8	CM/L—287 28-3-61		Do.	M/s. Hindustan Breakfast Food Mfg. Factory, Najafgarh Road, Industrial Area, New Delhi-15.	Corn Flakes . . . . .	IS: 1158-1957 Specification for Corn Flakes.

9	CM/L—288 28-3-61	Do.]	M/s. Dr. Writer's Chocolates & Canning Company, Bhavani Shanker Road, Bombay-28.	Macaroni, Spaghetti and Vermicelli	IS: 1485-1959 Specification for Macaroni, Spaghetti and Vermicelli
10	CM/L—289 30-3-61	Do.	M/s. Devidayal (Sales) Private Ltd., Gupta Mills Estate, Reay Road, Darukhana, Bombay	BHC Water Dispersible Powder Concentrates	IS: 562-1958 Specification for BHC Water Dispersible Powder Concentrates ( <i>Revised</i> )

[No. MD/12:519]

*New Delhi, the 5th April 1961*

**S.O. 817.**—In pursuance of the provisions of sub-rule (2) of rule 3 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution hereby notifies that the Indian Standards given in the Schedule hereto annexed have been established during the quarter ending 31st March 1961.

**THE SCHEDULE**

Sl. No.	No. of Indian Standard	Title of Indian Standard
1.	IS: 302-1960 . . .	General and Safety Requirements for Light Electrical Appliances ( <i>Revised</i> )
2.	IS: 303-1960 . . .	Specification for Plywood for General Purposes ( <i>Revised</i> )
3.	IS: 306-1960 . . .	Specification for Tin Bronze Ingots and Castings ( <i>Revised</i> )
4.	IS: 374-1960 . . .	Specification for Electric Ceiling Fans and Regulators ( <i>Revised</i> )
5.	IS: 555-1960 . . .	Specification for Electric Table Type Fans and Regulators ( <i>Revised</i> )
6.	IS: 603-1960 . . .	Code of Practice for Construction of Underground Rural Food Grain Storage Structures
7.	IS: 604-1959 . . .	Code of Practice for Construction of Food Grain Storage Structures Suitable for Trade and Government Purposes for the Northern Region
8.	IS: 605-1960 . . .	Code of Practice for Construction of Food Grain Storage Structures Suitable for Trade and Government Purposes for the <i>Central</i> Region
9.	IS: 947-1960 ] . . .	Specification for Towing Tender for Trailer Pump for Fire Brigade Use
10.	IS: 1060 (Part II)-1960 . . .	Methods for Sampling and Test for Paper and Allied Products, Part II
11.	IS: 1070-1960 . . .	Specification for Water, Distilled Quality ( <i>Revised</i> )
12.	IS: 1343-1960 . . .	Code of Practice for Prestressed Concrete
13.	IS: 1363-1960 . . .	Specification for Black Hexagonal Bolts (6 to 39 mm) with Nuts and Black Hexagonal Screws (6 to 24 mm)
14.	IS: 1400-1960 . . .	Specification for Optical Glass
15.	IS: 1436-1960 . . .	Specification for Weigh-Bridges
16.	IS: 1480-1960 . . .	Specification for Metric Scales for General Purposes
17.	IS: 1482-1960 . . .	Specification for Metric Scales for Use with Drafting Machines
18.	IS: 1521-1960 . . .	Method for Tensile Testing of Steel Wire
19.	IS: 1527-1960 . . .	Methods of Chemical Analysis of Fireclay and Silica Refractory Materials
20.	IS: 1566-1960 . . .	Specification for Hard-Drawn Steel Wire Fabric for Concrete Reinforcement
21.	IS: 1573-1960 . . .	Specification for Zinc Plating
22.	IS: 1595-1960 . . .	Specification for Enamelled High-conductivity Annealed Round Copper Wire (Synthetic Enamel)
23.	IS: 1598-1960 . . .	Method for Izod Impact Test for Steel
24.	IS: 1599-1960 . . .	Method for Bend Test for Steel Products other than Sheet, Strip, Wire and Tube
25.	IS: 1601-1960 . . .	Specification for Performance of Constant Speed Internal Combustion Engines for General Purposes
26.	IS: 1608-1960 . . .	Method for Tensile Testing of Steel Products other than Sheet, Strip, Wire and Tube
27.	IS: 1610-1960 . . .	General Requirements for Sewing Machines (Household Model)

Sl. No.	No. of Indian Standard	Title of Indian Standard
28.	IS: 1623-1960	Method for Testing Jute Fabrics for Resistance to attack by Micro-Organisms
29.	IS: 1627-1960	Specification for Cellulose Nitrate for Use in Coated Fabrics
30.	IS: 1629-1960	Rules for Grading of Cut Sizes of Timber
31.	IS: 1632-1960	Specification for Bubbles
32.	IS: 1633-1960	Methods for Testing Jute Cordages for Resistance to attack by Micro-Organisms
33.	IS: 1634-1960	Code of Practice for Design and Construction of Wood Stairs
34.	IS: 1635-1960	Code of Practice for Field Slaking of Line and Preparation of Putty
35.	IS: 1636-1960	Specification for Chrome Waxed Sole Leather
36.	IS: 1637-1960	Specification for Cycle Saddle Leather
37.	IS: 1638-1960	Specification for Sizes and Fittings of Footwear
38.	IS: 1639-1960	Specification for East India Tanned Kips and Skins
39.	IS: 1643-1960	Code of Practice for Fire Safety of Buildings (General): Exposure Hazard
40.	IS: 1645-1960	Code of Practice for Fire Safety of Buildings (General): Chimneys, Flues, Flue Pipes and Hearths
41.	IS: 1653-1960	Specification for Steel Conduits for Electrical Wiring
42.	IS: 1654-1960	Specification for Antimonial Lead for Storage Batteries
43.	IS: 1655-1960	Code of Practice for Manufacture of Zinc Alloy Pressure Die Castings
44.	IS: 1656-1960	Specification for Processed Cereal Infant Foods
45.	IS: 1657-1960	Specification for Special Infant Foods
46.	IS: 1661-1960	Code of Practice for Cement and Cement-Line Plaster Finishes on Walls and Ceilings
47.	IS: 1663-1960	Method for Tensile Testing of Steel-sheet and Strip of Thickness 0.5 mm to 3 mm
48.	IS: 1664-1960	Specification for Mineral Mixture for Supplementing Cattle Feeds
49.	IS: 1665-1960	Specification for Cuprous Oxide Water Dispersible Powder Concentrates
50.	IS: 1668-1960	Specification for Lozenges
51.	IS: 1669-1960	Specification for Cuprous Oxide Dusting Powders
52.	IS: 1670-1960	Method for Determination of Breaking Load (Strength), Elongation at Break and Tenacity of Single Strand of Cotton Yarn (By constant-rate-of-transverse Machine)
53.	IS: 1671-1960	Method for Determination of Skein Breaking Load (Strength), Tenacity and Yarn Strength Index of Cotton Yarn (By constant-Rate-of-Transverse Machine (Metric System))
54.	IS: 1672-1960	Specification for Floating Dairy Thermometers
55.	IS: 1673-1960	Specification for Mild Steel Wire for the Manufacture of Machine Screws (By Cold Heading Process)
56.	IS: 1674-1960	Specification for Temporary Corrosion Preventive, Fluid, Soft, Film, Solvent Deposited
57.	IS: 1675-1960	Specification for Stearic Acid, Technical
58.	IS: 1676-1960	Specification for Oleic Acid, Technical
59.	IS: 1677-1960	Specification for Braided Spray Hose, High Pressure, for Agricultural Purposes

Sl. No.	No. of Indian Standard	Title of Indian Standard
60.	IS: 1678-1960	Specification for Prestressed Concrete Poles for Over-head Power, Traction and Telecommunication Lines
61.	IS: 1679-1960	Specification for Sugar used in Food Preservation Industry
62.	IS: 1680-1960	Code of Practice for Treatment of Water for Land Boilers
63.	IS: 1681-1960	Specification for Blanket, Woollen, Dyed
64.	IS: 1682-1960	Specification for Cuprous Oxide, Technical (Fungicidal Grade)
65.	IS: 1683-1960	Specification for Barytes for Rubber Industry
66.	IS: 1684-1960	Specification for Natural Red Oxides of Iron for Rubber Industry
67.	IS: 1685-1960	Specification for Whiting for Rubber Industry
68.	IS: 1686-1960	Specification for Handloom Silk Bush Shirt Cloth Loomstate
69.	IS: 1687-1960	Specification for Handloom Silk Kora (Loomstate) Cloth
70.	IS: 1688-1960	Procedure for Determination of Fastness of Dycstuffs
71.	IS: 1689-1960	Method for Determination of Barium Activity Number of Cotton Textile Materials
72.	IS: 1690-1960	Method for Determination of Colour Fastness of Textile Materials to Nitrogen Oxides
73.	IS: 1691-1960	Specification for Cast Iron and Mild Steel Flat Pulleys
74.	IS: 1692-1960	Method for Simple Bend Testing of Steel Sheet Strip Less than 3 mm Thick
75.	IS: 1694-1960	Specification for Tartrazine
76.	IS: 1695-1960	Specification for Sunset Yellow FCF
77.	IS: 1696-1960	Specification for Amaranth
78.	IS: 1697-1960	Specification for Erythrosine
79.	IS: 1698-1960	Specification for Indigo Carmine
80.	IS: 1699-1960	Methods of Sampling and Test for Coal Tar Food Colours
81.	IS: 1700-1960	Specification for Drinking Fountains
82.	IS: 1701-1960	Specification for Mixing Valves for Ablutionary and Domestic Purposes
83.	IS: 1702-1960	Specification for Spring Balances
84.	IS: 1706-1960	Method for Determination of Resistance to Wear by Abrasion of Natural Building Stones
85.	IS: 1711-1960	Specification for Self-Closing Taps
86.	IS: 1712-1960	Specification for Cottonseed Oilcake as Livestock Feed
87.	IS: 1713-1960	Specification for Decorticated Groundnut Oilcake as Livestock Feed
88.	IS: 1714-1960	Methods for Sampling and Test for Oilcakes as Livestock Feed
89.	IS: 1716-1960	Method for Reverse Bend Testing of Steel Wire
90.	IS: 1717-1960	Method for Simple Torsion Testing of Steel Wire
91.	IS: 1721-1960	Specification for Hair Belting Yarn
92.	IS: 1726-1960	Specification for Cast Iron Manhole Covers and Frames intended for use in Drainage Works
93.	IS: 1733-1960	Specification for Aluminium Milk Strainers

[No. MD/13:3]  
C. N. MODAWAL,  
Deputy Director (Marks).

**MINISTRY OF STEEL, MINES & FUEL****(Department of Mines and Fuel)***New Delhi, the 5th April 1961*

**S.O. 818.**—In exercise of the powers conferred by sub-section (2) of section 17 of the Mines and Minerals (Regulation and Development) Act, 1957 (87 of 1957), the Central Government, after consultation with the Madhya Pradesh Government, proposes to undertake prospecting operations in respect of coal in the State of Madhya Pradesh in the area specified in the Schedule below.

**SCHEDULE**

Drawing No. Rev/III/61.  
Dated 17-1-1961.

Sl. No.	Name of Villages	Village No.	Tahsil	District	Area in acres	Remarks
1.	Muher . . .	476	Singrouli	Sidhi	2048.00	Part
2.	Motouli . . .	446	"	"	4400.85	Part
3.	Purewa . . .	309	"	"	346.65	Full
4.	Chanpathar . . .	184	"	"	204.03	Full
5.	Nigai . . .	288	"	"	2316.20	Full
6.	Murhbani . . .	205	"	"	541.00	Part
7.	Binouli . . .	170	"	"	27.00	Part
8.	Dharauli Kala . . .	116	"	"	486.95	Part
9.	Dharauli Khurd . . .	117	"	"	124.77	Part
10.	Nawanagar . . .	129	"	"	435.20	Part
11.	Amjhar . . .	7	"	"	460.80	Part
12.	Bharowa . . .	181	"	"	256.00	Part
TOTAL . . .				11647.45	Acres (Approx.)	

**BOUNDARY DESCRIPTION**

A.B. Line passes through villages Muher & Motouli.

B-C-D-E Line passes along the Eastern boundary of village Motouli.

E-F Line passes through villages Murhbani, Binouli & Dharaulikala.

F-G Line passes through villages, Dharaulikhurd, Nawanagar, Amjhar & Bharowa.

G-A Line passes through villages Bharowa & Buher.

[No. C2-25(1)/61.]

*New Delhi, the 10th April, 1961*

**S.O. 819.**—Whereas by the notification of the Government of India in the Department of Mines and Fuel (Ministry of Steel, Mines and Fuel) S.O. 607 dated the 19th April, 1958, under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act), the Central Government gave notice of its intention to prospect for coal in the lands in the locality specified in the Schedule appended to that notification.

And whereas by the notification of the Government of India in the Department of Mines and Fuel (Ministry of Steel, Mines and Fuel) S.O. 927 dated the 4th April, 1960 under sub-section (1) of section 7 of the said Act, notice was issued specifying a further period of one year commencing from the 19th April 1960, as the period within which the Central Government may give notice of its intention to acquire the said lands or any rights in or over such lands;

And whereas the Central Government is satisfied that coal is obtainable in a part of the said lands;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire:

- (a) the lands measuring 254.90 acres described in the Schedule 'A' appended hereto; and

- (b) the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 712.70 acres described in the Schedule 'B' appended hereto

The plans of the area covered by this notification may be inspected in the office of the Deputy Commissioner, Hazaribagh (Bihar) or in the office of the Coal Controller, 1, Council House Street, Calcutta or in the office of the National Coal Development Corporation Limited (Revenue Section), "Darbhanga House", Ranchi.

Any person interested in the aforesaid lands may within 30 days of the issue of this notification, file objection to the acquisition of the whole or any part of the lands or of any rights in or over such lands to the Coal Controller, 1, Council House Street, Calcutta.

**'SCHEDULE 'A'**

*Gobindpore Block,*

Drawing No. Rev/116/61,  
dated 10-3-1961,  
(Showing lands to be acquired).

*Sub-Block—I*

**All Rights**

Sl. No.	Village	Thana	Thana No.	District	Area in acres	Remarks
1.	Gobindpur	Nawadih	15	Hazaribagh	254.90	Part
TOTAL : 254.90 acres (Approximately).						

*Plot Nos. to be acquired in village Gobindpur :—*

1(P), 2 to 44, 45(P), 48(P), 57(P), 58, 59, 60(P), 61(P), 62, 63(P), 65(P), 66, 67(P), 72(P), 88(P), 89, 105(P), 106(P), 107, 108, 109(P), 110 to 133, 134(P), 135 to 147, 148(P), 149(P), 151(P), 152, 153(P), 154(P), 155 to 185, 186(P), 187(P), 188 to 201, 202(P), 203(P), 205(P), 206(P), 207(P), 224(P), 257(P), 261(P), 268(P), 269(P), 270, 271, 272, 273(P), 274(P), 275, 276, 277, 278(P), 280(P), 281(P), 284(P), 1185(P), 1191(P), 1192(P), 1193(P), 1194, 1195, 1196, 1197, 1198, 1199(P), 1212(P), 1214(P), 1295(P), 1297(P), 1303(P), 1304, 1305(P), 1306, 1307, 1308(P), 1309 to 1328, 1329(P), 1330, 1331, 1332, 1333(P), 1335(P), 2773, 2774, 2775(P) and 2776(P)

*Boundary Description of Sub-Block—I*

1-2-3-4-5-6. line passes through Plot Nos. :—

60, 61, 57, 48, 45, 1, 224, 134, 202, 203, 205, 206, 207, 257, 206, 187, 186, 261, 269, 268, 273, 274, 2776, 278, 280, 281, 2775, 284, 154, 153, 151, 149, 148, 1193, 1185, 1192, 1191, 1199, 1308, 1212, 1214, 1308, 1295, 1305, 1297, 1303, 1335, 1329, 1333, 106, 109, 105, 88, 109, 67, 72, 65, 72, 63, 72 and 60 in village Gobindpur.

6-1 line passes along the Eastern bank of River Kunar.

**SCHEDULE 'B'**

Drawing No. Rev/116/61, dated 10-3-1961.

(Showing lands where rights to mine, quarry, bore, dig and search for win, work and carry away minerals are to be acquired).

*Sub-Block-2*  
**Mining Rights.**

Sl. No.	Village	Thana	Thana No.	District	Area in acres	Remarks
1.	Armo	Nawadih	11	Hazaribagh	10.00	Part.
2.	Gobindpur	Nawadih	15	Hazaribagh	702.70	Part.
TOTAL :—712.70 acres (Approximately).						



Plot Nos. to be acquired in village Armo :—

758(P).

Plot Nos. to be acquired in village Gobindpur :—

1(P), 45(P), 46, 47, 48(P), 49 to 56, 57(P), 60(P), 61(P), 63(P), 64, 65(P), 67(P), 68, 69, 70, 71, 72(P), 73 to 87, 88(P), 90, 91, 93 to 104, 105(P), 106(P), 109(P), 134(P), 148(P), 149(P), 150, 151(P), 153(P), 154(P), 186(P), 187(P), 202(P), 203(P), 204, 205(P), 206(P), 207(P), 208 to 213, 214(P), 215(P), 216 to 222, 223(P), 224(P), 231(P), 248(P), 250(P), 252 to 256, 257(P), 258, 259, 260, 261(P), 262 to 267, 268(P), 269(P), 273(P), 274(P), 278(P), 279, 280(P), 281(P), 282, 283, 284(P), 285 to 326, 327(P), 328(P), 340(P), 343(P), 344(P), 345, 346(P), 347, 348(P), 349 to 377, 378(P), 379(P), 381(P), 382(P), 383(P), 436(P), 437(P), 438 to 524, 525(P), 526 to 528, 529(P), 531(P), 534(P), 537(P), 538(P), 648(P), 701(P), 702(P), 703(P), 704 to 707, 708(P), 710(P), 711(P), 712 to 727, 728(P), 729 to 731, 732(P), 733(P), 740(P), 743(P), 745 to 747, 748(P), 821(P), 822(P), 823(P), 824(P), 825(P), 826 to 828, 829(P), 836(P), 837(P), 839(P), 840(P), 841 to 931, 932(P), 933, 934(P), 935(P), 980(P), 981(P), 982, 983(P), 984(P), 987(P), 988 to 1184, 1185(P), 1186 to 1190, 1191(P), 1192(P), 1193(P), 1199(P), 1200 to 1211, 1212(P), 1213, 1214(P), 1215 to 1294, 1295(P), 1296, 1297(P), 1298 to 1302, 1303(P), 1305(P), 1308(P), 1329(P), 1333(P), 1334, 1335(P), 1336 to 1383, 1384(P), 1385, 1386(P), 1390(P), 1391 to 1425, 1426(P), 1427 to 1441, 1442(P), 1448(P), 1449(P), 1450(P), 1464(P), 1465 to 1474, 1475(P), 1476(P), 2775(P), 2776(P), 2778, 2779, 2780, 2781, 2782 and 2783.

Boundary description of Sub-Block II :

1-7 line passes along the Eastern Bank of River Kunar.

7-8 line passes through Plot No. 758 in village Armo and through Plot No. 1 along the Boundary of Plot No. 224 through Plot Nos. 223, 231 and 248 in village Gobindpur.

8-9 line passes through Plot Nos. 248, 215, 214, 248, 250, 248, 383, 382, 381, 379, 378, 340, 348, 346, 343, 344, 327, 328, 437, 436, 538, 537, 534, 525, 531, 529, 987, 984, 983, 648, 981, 980, 932, 934, 935, 703, 702, 701 and 708 in village Gobindpur.

9-10 line passes through Plot Nos. 708, 710, 711, 748, 743, 728, 740, 733, 728, 732, 733, 840, 821, 822, 823, 824, 825, 829, 836, 837, 839, 840, 1475, 1476, 1464, 1449, 1450, 1448, 1442, 1426, 1390, 1384, 1386 and 1384 in village Gobindpur.

10-6 line passes along the Eastern Bank of River Kunar.

6-5-4-3-2-1 line is the common boundary of Sub-Block I and Sub-Block II.

[Ca-20(6)/61]

### ERRATA

New Delhi, the 4th April 1961

S.O. 820.—In Schedule to the Notification S.O. 133 dated the 11th January, 1961, published in Part II, Section 3, Sub-Section (ii) of the Gazette of India, Extraordinary dated 11th January 1961, for the following printing errors noted in column 2 of the Schedule appended hereto, corrections may be made as noted against each in the column 3 of the said Schedule:—

### SCHEDULE

1	2	3
Page 34— Sub-block I All Rights.	2-3-4 line passes through Plot Nos. 78, 403, 432, 433, 434, 425, 414, etc. etc.	2-3-4 line passes through Plot Nos. 78, 403, 432, 433, 434, 426, 414, etc. etc.
Page 35— Sub-block II Mining Rights. Plot Nos. to be acquired in village Chane.	7 to 38	7 to 39
Page 37— Sub-block IV Mining Rights. Plot Nos. to be acquired in village Rikba.	324, 380.	324 to 380.

[No. C2-20(1)/61.]

B. ROY, Under Secy.

**(Department of Iron & Steel)***New Delhi, the 10th April 1961*

**S.O. 821/ESS. COMM/IRON AND STEEL-2(c)/AM(79).**—In exercise of the powers conferred by sub-clause (c) of clause 2 of the Iron and Steel (Control) Order, 1956, the Central Government hereby directs that the following further amendment shall be made to the notification of the Government of India, in the Ministry of Steel, Mines and Fuel, No. S.R.O. 2041/ESS. COMM/IRON AND STEEL-2(c), dated the 11th June, 1957, as amended from time to time, namely:—

In the Schedule annexed to the notification, in columns 2 and 3 thereof, against 'MYSORE', the following entry shall be added, namely:—

1	2	3
"3. Joint Registrar of Cooperative Societies (Credit), Government of Mysore.		4 and 5".

[No. SC(A)-2(7)/61.]

**CORRIGENDUM***New Delhi, the 10th April 1961*

**S.O. 822/ESS. COMM/IRON AND STEEL-16/AM(1)-CORR.**—The following correction shall be made in the notification of the Government of India in the Ministry of Steel, Mines and Fuel (Department of Iron and Steel) No. S. O. 523/ESS. COMM/IRON & STEEL-16/AM(1), dated the 4th March, 1961, published in the Gazette of India Part II, Section 3, Sub-Section (ii), dated the 11th March, 1961, namely:—

For the words

"A. S. BAM,"

IRON AND STEEL CONTROLLER".

occurring at the end of the Order notified in the above-said notification,

Read—

"A. N. BANERJI,

IRON AND STEEL CONTROLLER".

[No. SC(A)-1(59)/61.]

J. S. BAIJAL, Under Secy.

**MINISTRY OF FOOD AND AGRICULTURE****(Department of Agriculture)***New Delhi, the 1st April 1961*

**S.O. 823.**—In exercise of the powers conferred by sub-section (3) of section I of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), the Central Government hereby appoints the 1st day of April, 1961 as the date on which the said Act shall come into force in the State of Punjab and the Union Territory of the Andaman and Nicobar Islands.

[No. 9-2/61.LD.]

K. C. SARKAR, Under Secy.

**(Department of Agriculture)***New Delhi, the 6th April 1961*

**S.O. 824.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, regulating the method of recruitment of persons to Class III and Class IV posts in the Central Potato Research Institute, Simla, namely:—

**1. Short title.**—These rules may be called the Central Potato Research Institute (Class III and IV posts) Recruitment Rules, 1961.

**2. Application.**—These rules shall apply to Class III (ministerial and non-ministerial) and Class IV posts in the Central Potato Research Institute, Simla including its Regional offices and sub-stations as specified in Column 2 of the Schedule annexed hereto.

**3. Number, Classification and Scale of Pay.**—The number of the Class III and Class IV posts in the Central Potato Research Institute, Simla their classification and the scales of Pay attached to them shall be as specified in columns 3 to 5 of the Schedule to these rules.

**4. Method of recruitment, Age limit and other qualifications.**—The method of recruitment to the posts aforesaid, age limit, qualifications and other matters connected therewith shall be as specified in columns 6 to 11 of the Schedule aforesaid: Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of Scheduled Castes/Tribes candidates, displaced persons and other special categories in accordance with the orders issued from time to time by the Government of India.

**5. Disqualification.**—(a) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to service; and

(b) no woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service: Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

## SCHEDULE

*Qualifications etc. prescribed for and the method of recruitment to the non-gazetted posts at Central Potato Research Institute, Simla, its sub-stations and Potato Experimental and Trial Centres*

Sl. No.	Name of post	Number of posts, classification and whether gazetted or non-gazetted	Whether Ministerial or Non-Ministerial	Scale of pay	Whether Selection post or Non-selection post	Age limit for direct recruits	Educational and other qualifications required.	Whether age and educational qualifications prescribed for direct recruits will apply in case of promotion or transfer	Method and sources of recruitment i.e. whether by direct recruitment or by promotion	Period of probation, if any
1	2	3	4	5	6	7	8	9	10	11
1.	Superintendent	1 post Class III.	Ministerial	Rs. 350—20—450—25—475.	Selection	..	..	..	Promotion from the Ministerial staff of the Institute in the scale of Rs. 210—380 and above, namely Head Clerk-cum-Accountant, Accountant & Head Clerk (Establishment) on the basis of merit.	Two years
2.	Head Clerk-cum-Accountant.	Do.	Do.	Rs. 210—10—290—15—320—EB—15—380.	Do.	..	..	..	Promotion from the Ministerial staff of the Institute in the scale of Rs. 130—300, namely, Upper Division Clerks, Cashier and Stenographers with at least 2 years experience as Upper Division Clerk at Central Potato Research Institute.	Do.



I	2	3	4	5	6	7	8	9	10	11
8. Lower Division Clerks.	11 posts Class III	Ministerial	Rs. 110—3—131—4—155—EB—4—175—5—180.	Not applicable	18—21 years.	Matriculation or equivalent qualifications, with a minimum speed of 30 words per minute in typewriting. Working knowledge of Hindi desirable.	Not applicable.	By direct recruitment	Two years.	
9. Storekeepers.	4 posts Class III	Do.	Do.	Do.	Do.	Matriculation or its equivalent qualifications with experience of accounts and storekeeping. Proficiency in typewriting and working knowledge of Hindi desirable.	Do.	By direct recruitment or transfer from Lower Division Clerks.	Do.	
10. Research Assistants.	28 posts Class III	Non-Ministerial	Rs. 210—10—290—15—320—EB—15—425 (with a selection grade scale of Rs. 325—15—475—EB—20—575, for 15% of the posts).	Do.	Below 25 years.	M. Sc. or equivalent honours degree or associate of Indian Agricultural Research Institute in relevant subjects.	Do.	By direct recruitment 15% of the Research Assistants will be eligible for promotion to the selection grade according to their seniority and subject to fitness.	Do.	
11. Statistical Assistant.	1 post Class III	Do.	Rs. 210—10—290—15—320—EB—15—425.	Non-selection.	Do.	1. Degree in Mathematics Economics with training and experience of computation of statistical data and their interpretation. 2. Experience in statistical work connected with Agricultural crops.	Do.	Promotion from the post of computer in the scale of 150-300 provided he is considered suitable. Otherwise by direct recruitment.	Do.	

12. Computer.	Do.	Do.	Rs. 150—5—160 —8—240—EB— 8—280—10— 300.	Not applicable.	Do.	Degree in Mathematics or Economics with training and experience in computation of statistical data and their interpretation.	Do.	Direct recruitment.	Do.
13. Junior Scientific Assistants. (Fieldmen)	40 posts Class III	Do.	Rs. 110—4—150 —EB—4—170— 5—180—EB—5 —200.	Do.	Do.	1. Matriculation, preferably with a Science subject and experience in crop cultivation. 2. Diploma in Agriculture preferable.	Do.	Do.	Do.
14. Tractor Driver.	3 posts Class III	Do.	Rs. 110—3—131 —4—155—EB— —4—175—5— 180.	Do.	Below 35 years.	1. Should possess a licence for driving heavy motor vehicles and should be able to drive tractors. 2. Preference will be given to persons having previous service with Indian Army Units in mechanical transportation or tank or armoured car units or experience as a tractor operator in Agricultural or construction projects.	Do.	Do.	Do.
15. Driver.	2 posts Class III	Do.	Rs. 110—3—131 —4—139.	..	Do.	Study upto middle standard desirable. Proficiency in motor driving and car mechanism. Should hold a licence for driving motor vehicles. Working knowledge of Hindi.	Do.	Do.	Do.

1	2	3	4	5	6	7	8	9	10	11
16. Assistant Mistry	1 post Class IV	Not applicable.	Rs. 80—1—85— —2—95—EB— 3—110.	..	Below 35 years	Should have studied upto eighth standard with suitability for the particular type of work. Should possess necessary technical qualifications required for the post.	Not applicable	Direct recruitment.	Two years	
17. Mechanic	1 post Class IV	Not applicable	Rs. 80—1—85— 2—95—EB—3— 110.	..	Do.	Should have studied upto eighth standard with suitability for the particular type of work. Should possess necessary technical qualifications required for the post.	Do.	Do.	Do.	
18. Daftry-cum-Gestatner-Operator.	Do.	Do.	Do.	Non-Selection.	..	..	Do.	Promotion from the posts of peons on the principle of seniority subject to the rejection of unfit.	Do.	
19. Laboratory Attendant.	12 posts Class IV	Do.	Rs. 75—1—85— EB—2—95	..	Below 40 years	Should have studied upto eighth standard, with suitability for the particular type of work.	..	By direct recruitment	Do.	
20. Malis (Senior)	17 posts Class IV	Do.	Rs. 80—1—85— 2—95—EB— 3—110	..	..	..	..	Do.	Do.	
21. Malis Junior	2 posts Class IV	..	Rs. 75—1—85— EB—2—95	..	Below 35 years	..	..	Do.	Do.	
22. Peons	17 posts Class IV	..	Rs. 70—1—80— EB—1—85	..	Below 40 years	Middle school standard pass.	..	Do.	Do.	



23. Chowkidars	15 posts Class IV	Not applicable	Do.	..	Do.	..	Not applicable	Do.	Do.
24. Sweepers	2 posts class IV	..	Do.	..	Do.	..	..	Do.	Do.
25. Mistry	1 post Class IV	..	Do.	..	Below 35 years	Should have studied upto eighth standard with suitability for the particular type of work. Should possess necessary technical qualifications required for the post	..	Do.	Do.
<sup>2</sup> 6. Cleaner	Do.	..	Do.	..	Do.	Do.	..	Do.	Do.

#### FOOT NOTE

- (1) Seniority will be regulated in accordance with the orders on the subject issued by the Govt. from time to time
- (2) Common pooled seniority lists will be maintained in respect of those categories of posts which have been grouped together for purposes of promotion to higher grades.

[No. 17-20/58-Instt.II.]

D. RAMIAH, Dy. Secy.

**MINISTRY OF HEALTH***New Delhi, the 5th April 1961*

**S.O. 825.**—Dr. Chandra Bhan Singh, M.B., B.S., Principal, Ganesh Shanker Vidyarathi Medical College, Kanpur, having been elected as a member of the Medical Council of India under clause (c) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Health No. F.5-13/59-MI, dated the 9th January, 1960, namely:—

In the said notification, under the heading "Elected under clause (c) of sub-section (1) of section 3", after serial No. 8 and the entry relating thereto, the following shall be inserted, namely:—

"9. Dr. Chandra Bhan Singh, M.B., B.S., Principal, Ganesh Shanker Vidyarathi Medical College, Kanpur".

[No. F.5-44/60-M.I.]

A. C. RAY, Under Secy.

*New Delhi-2, the 10th April 1961*

**S.O. 826.**—In exercise of the powers conferred by section 16 of the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954, (21 of 1954), the Central Government hereby makes the following rules to amend the Drugs and Magic Remedies (Objectionable Advertisements) Rules, 1955, namely:—

1. These rules may be called the Drugs and Magic Remedies (Objectionable Advertisements) Amendment Rules, 1961.

2. In the Drugs and Magic Remedies (Objectionable Advertisements) Rules, 1955, in rule 4, for the words and figures "where any person authorised by the State Government under section 8 is satisfied that an advertisement relating to a drug contravenes the provisions of section 4, he may" the words and figure "Any person authorised by the State Government in this behalf may, if satisfied, that advertisement relating to a drug contravenes the provisions of section 4" shall be substituted.

[No. F. 8-2/60-D.]

BASHESHA NATH, Under Secy.

*New Delhi-2, the 10th April 1961*

**S.O. 827.**—The Councillors and the Aldermen of the Municipal Corporation of Delhi having on the 21st day of the month of March, 1961, elected Shri Shiv Charan Gupta as their representative on the Delhi Development Authority in place of Shri R. N. Agrawala, the Central Government, in exercise of the powers conferred by section 3 of the Delhi Development Act, 1957 (61 of 1957) makes the following further amendment with effect from the aforesaid date in the notification of the Government of India in the Ministry of Health No. 12-173/57-LSG., dated the 30th December, 1957, namely:—

In the said notification, in item 5, for the entry "Shri R. N. Agrawala, Member", the following entry shall be substituted, namely:—

"5. Shri Shiv Charan Gupta, Member".

[No. F. 6-8/61-L.S.G.]

A. K. DAR, Under Secy.

**MINISTRY OF TRANSPORT AND COMMUNICATIONS****(Department of Transport)****(Transport Wing)**

FORTS

*New Delhi, the 7th April 1961*

**S.O. 828.**—In pursuance of sub-section (2) of section 6 of the Calcutta Port Act, 1890 (Bengal Act III of 1890), it is hereby notified that in accordance with the

provisions of section 16 of the said Act Shri M. Das of Messrs. Mackinnon Mackenzie and Company Private Limited, Calcutta, has been elected by the Bengal Chamber of Commerce and Industry Calcutta to be a Commissioner for the Port of Calcutta vice Mr. G. D. Longhurst resigned.

[No. 9-PG(21)/61.]

M. V. NILAKANTA AYYAR, Under Secy.

**(Department of Communications and Civil Aviation)**

*New Delhi, the 6th April 1961*

S.O. 820.—Whereas on the 20th March, 1961, an accident occurred, near Nagpur aerodrome, to an American registered DC-4 aircraft No. N5519V, operated by Seven Seas Airlines Incorporation, on an international non-scheduled freight service, resulting in extensive damage to the aircraft and injuries to some of the crew members;

And whereas, it appears to the Central Government that it is expedient to hold an inquiry into the said accident by a Committee of Inquiry;

Now, therefore, in exercise of the powers conferred by rule 74 of the Indian Aircraft Rules, 1937, the Central Government hereby appoints a Committee of Inquiry composed of the following persons, to hold an inquiry into the said accident, namely:—

- (1) Shri R.N. Kathju,  
Deputy Director-General,  
Civil Aviation . . . . . Chairman
- (2) Shri J. Sen,  
Chief Inspector of Accidents,  
Civil Aviation Deptt. . . . . Member

[No. 7-A/14-61.]

K. GOPALAKRISHNAN, Dy. Secy.

MINISTRY OF WORKS, HOUSING AND SUPPLY

New Delhi, the 5th April, 1961

**S.O. 830**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules for regulating the recruitment to the post of Assistant Estate Manager in the Directorate of Estates of the Government of India, namely:—

- 1. Short title and commencement** :—These rules may be called Directorate of Estates (Assistant Estate Manager) Recruitment Rules, 1961.
- 2. Applications**:—These rules shall apply to post specified in column I of the Schedule to these rules.
- 3. Number, Classification and scale of pay**:—The number and classification of the post, the scale of pay attached thereto, method of recruitment and other matters relating thereto shall be as specified in columns 2 to 11 of the said Schedule:  
Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes or displaced persons and other special categories in accordance with the orders issued from time to time by the Government of India.
- 4. Disqualification**—(a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment and  
(b) no woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment :  
provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

SCHEDULE

Name of post	No. of posts	Classification	Scale of pay	Whether Selection or non-selection post	Age limit for direct recruits	Educational and other qualifications required	Whether columns 6 & 7 will apply to promotees	Period of probation if any	Method of recruitment whether by direct recruitment or by promotion or transfer and percentage of vacancies to be filled by various methods	In case of recruitment by promotion, transfer, grades from which promotions are to be made
I	2	3	4	5	6	7	8	9	10	11
Assistant Estate Manager	5	Class II (Gazetted) Non-Ministerial.	Rs. 350—25—575 (revised)	Selection	Below 30½ years (relaxable for Govern-	Essential (i) Degree of a recognised University. (ii) About two years	No	Two years.	Direct recruitment 75% Promotion 25%	Promotion — Head-clerks in the Subordinate

ment servants).

experience in a supervisory capacity of handling big estates in a Government or Semi Government Department or local body or commercial organisation or repute.

Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified.

Offices of the Directorate of Estates, with five years service in the grade.

[No. EE.-2(5)/57]

R. C. MEHRA, Under Secy.

Sec. 3(11)]

THE GAZETTE OF INDIA : APRIL 15, 1961/CHAITRA 25, 1883

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## MINISTRY OF IRRIGATION AND POWER

## ORDER

*New Delhi, the 7th April 1961*

**S.O. 831.**—In exercise of the power conferred by sub-rule (2) of Rule 133 of the Indian Electricity Rules, 1956, the Central Government hereby directs that the provisions of—

- (i) Rule 118, proviso (a),
- (ii) Rule 119 (1)(a),
- (iii) Rule 123(7)

of the said Rules shall be relaxed in respect of the use of the following apparatus in conjunction with one Model P & H 1600, 3.3 K.V., serial No. 22893 shovel—

- One 300 H.P., 3300 volts, P & H make Squirrel Cage motor, serial No. 266867 for the hoist.
- One 150 H.P., 3300 volts P & H make, Squirrel Cage motor, serial No. 266877 of the motor-generator set.
- One 40 K.V.A., 3 phase, P & H make transformer 3300/300/115/105 volts, serial No. 11440 with General Electric 50 amps, 5.2 K.V., gang-operated fuse protected linked switch.
- One length of 1,000 feet of 3.3 K.V., 4 core—3-10/64 rocozone 3—.100 reprene belt, galvanised steel armour, .180 Reoprene tape jacket cable with one 400 amps, 3300 bolts; Long and Crawford Ltd., switch, serial No. 601835.

at the Thana Quarry at Bokaro Colliery of Messrs. National Coal Development Corporation, Ltd., to the extent that (1) in relaxation of Rule 118(a), the portable motor of the shovel may be used at 3.3 K.V., (2) in relaxation of Rule 119 (1)(a) the 40 KVA 3300/300/115/105 volts, 3 phase transformer with its associated equipment using energy at high voltage may not be fixed apparatus as being installed on the portable shovel moving from place to place, the same have a portable sense, (3) in relaxation of Rule 123(7), flexible cable not exceeding 1,000 feet in length may be used with the portable machine and that the relaxation shall be subject to the following conditions:—

- (1) The 3.3 K.V. supply to the flexible cable should be provided with earth-leakage protection.
- (2) The installations and wirings inside the shovel shall comply with the relevant provisions of the Indian Electricity Rules, 1956 in particular rules 115—117, 121, 124 and 125.
- (3) The flexible trailing cable should be connected to the electricity supply system and the machine by properly constructed connector boxes or totally enclosed safe attachments.
- (4) The excavating machine along with the flexible trailing cable shall be worked and handled with due care so as to avert danger arising out of any electrical defect or in the use and the insulation resistance of the high voltage circuit including the driving motor shall at no time be less than 10 megohms.
- (5) The operators of the shovel shall be trained and authorised for operating the shovel with competency and due care to avoid danger.

Provided that the aforesaid relaxation shall be valid for such time as the said machine is in use in the mine and due information shall be given to the Central Government through the Electrical Inspector of Mines as soon as the machine is taken out of the mine.

[No. EL-II-3(28)/60.]

N. S. VASANT,

Officer on Special Duty.

## MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 5th April 1961

**S.O. 832.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Labour Court, Delhi, in the matter of an application under section 33A of the said Act from Shrimati Dulari of the Central Bank of India Limited, Bombay.

**BEFORE THE PRESIDING OFFICER, CENTRAL GOVT. LABOUR COURT AT DELHI**

**PRESENT:**

**SHRI E. KRISHNA MURTI,**  
Central Govt. Labour Court, Delhi.  
13th March, 1961.

I.D. No. 24 of 1961

Application U/S. 33A, of the Industrial Disputes Act, 1947.

Smt. Dulari W/o Pakkoo Adult, C/o, U.P. Bank Employees' Union, Kanpur—  
*Applicant.*

**Vs.**

The Central Bank of India Ltd., Bombay—*Opposite Party.*

Shri Chaman Lal Chopra—*for the management.*

No appearance—*for work-woman.*

In the matter of Reference No. 1 of 1960, pending before the National Industrial Tribunal (Bank Disputes) Bombay.

### AWARD

This is a petition under Section 33A of the Industrial Disputes Act.

2. The petitioner alleges, that the opposite party, The Central Bank of India Limited, has contravened the provisions of Section 33 of the Industrial Disputes Act, that the petitioner is a part-time sweeper, employed at the Meston Road, Kanpur Branch of the Bank, that she is entitled to the annual increment at 1/3 of the rate of a full time member of the subordinate staff, that the same was allowed upto 31st March, 1960, that thereafter it has not been paid, that no notice of change was given by the Bank under Section 9A, and that suitable relief should be given to the petitioner.

3. The case of the Bank is, that the petitioner is only a part time employee, engaged for sweeping premises and cleaning the latrine at the premises of the Bank, that this work was not being done by the complainant herself due to her defective eye-sight, that she has been getting the same done through her minor son, that she is being paid the emoluments, payable according to Paragraph 123 of the Sastry Award, that she is not entitled to any annual increment, that she was not paid any annual increment, that there has been no change in the conditions of service of the complainant, that there has been no contravention of Section 33, and that the petitioner is not entitled to any relief.

4. The issues, that arise for determination, are:—

- (1) Whether there has been an alteration of the conditions of service, as contended on behalf of the petitioner?
- (2) Whether there is a contravention of Section 33 of the Industrial Disputes Act?
- (3) To what relief, if any, is the petitioner entitled?

*Issues No. 1 and 2.*

5. This is a petition under Section 33A of the Industrial Disputes Act.

6. Even in the petition, it is admitted, that the petitioner, Shrimati Dulari wife of Shri Pakkoo, is a part time sweeper employed at the Meston Road Kanpur Branch of the opposite party. It is alleged in the petition, that she is required to perform duty for more than 7 hours a week. According to her case, she is entitled to be paid increments in the scale, applicable to the category, to which she belongs, at the rate of 1/3 of the rate payable to a full time member of the said category. It is alleged in the petition, that she was paid increments upto 31st March, 1960, but that payment of the same was discontinued from 1st April,

1960. It is, therefore, contended, that there has been an alteration in the conditions of service, and that the petitioner is entitled to recover the amount of increment, wrongfully withheld from her.

7. On behalf of the Bank, it is denied, that the petitioner is entitled to recover any increment, or that any increments were ever paid to her.

8. It may be mentioned, that the petitioner never appeared at the time of hearing, in spite of the fact, that she had been served with notice of hearing and there is also no appearance on her behalf, even though I have waited till 4 p.m.

9. On behalf of the Bank, we have the evidence of Shri J. N. Billimoria, who is the Chief Agent of the Kanpur Branch. According to his evidence, the petitioner is a part time sweeper. She has been getting Rs. 13-37 nP. as basic pay and Rs. 13-50 as dearness allowance per month. She has been getting this from 1st April 1954 up-till today. She does about 6 hours work in all in a week. She does not herself do the work because of defective eye-sight. She gets the work done through her minor son. She cannot do the duty herself. She has no right to be treated as an employee, but still the Bank treated her as a part-time employee, and gave her 1/3 of the emoluments on compassionate grounds. No increment was ever given to her at any time.

10. There is no doubt, at all, that the petitioner is a part-time employee. In Paragraph 123 of the Sastry Award, it is observed, that part time employees, such as sweepers, etc., could not be paid at the full rates laid down in the Award, and that a minimum of 1/3 of the appropriate rate of pay and dearness allowance was fixed for such categories of employees, if they worked for not less than 7 hours per week. The question whether petitioner as part-time employee was entitled to annual increments at the rate of 1/3 of the increments payable to full time employees on the strength of Paragraph 123 of the Sastry Award, does not arise for decision on the facts of the present case. What is relevant to note is, that the Bank has not been paying any portion of the increments payable to full time regular sweepers to the petitioner till now. There is no satisfactory proof of the fact, that the petitioner had been paid increments upto 31st March 1960, and that the Bank discontinued payment of the same from 1st April 1960, as alleged in the petition. On the contrary, we have the evidence of MWI, the Chief Agent, that no increment was ever given to the petitioner at any time, and that she had been paid from 1st April 1954 only at the rate mentioned above. It is perfectly clear, that there has been no alteration of the conditions of service of the petitioner. It is important to note, that the evidence establishes, that she is not herself able to do the duties of the post, but that she is getting the duties performed through her minor son, without objection by the Bank. There is no doubt, that the Bank is paying her the above amounts on compassionate grounds. I find, that there is no alteration of the conditions of service of the petitioner in any manner whatsoever, and that she is not entitled to the amount claimed, or to any other relief.

*Issue No. 3.*

11. In the result, the petition is dismissed. There is no order as to costs.

12. An award is passed accordingly.

(Four pages).

*The 13th March, 1961.*

(Sd.) E. KRISHNA MURTI.

Central Government Labour Court at Delhi.

[No. 55(14)/61-LRIV-I.]

**S.O. 833.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Labour Court, Delhi, in the matter of an application under section 33A of the said Act from Shri J. N. Pandey, ex-employee of the Central Bank of India Limited.



BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT LABOUR  
COURT AT DELHI

PRESENT:

SHRI E. KRISHNA MURTI,  
Central Govt. Labour Court,  
16th March, 1961.

O. P. No. 13 of 1961 AND I.D. No. 28 of 1961.

Application U/S. 33 of the Industrial Disputes Act, 1947.

The Central Bank of India Ltd., Jaipur—*Applicant*.

*Vs.*

Shri J. N. Pandey, Head Cashier & Treasurer, Representative, The Central Bank of India Ltd., Ajmer, Present Address Shri J. N. Pandey, C/o, Shri U. B. Pandey, The Central Bank of India Ltd., Gwalior Lashkar—*Opposite Party*.

I. D. No. 28 of 1961

Application U/S 33A, of the Industrial Disputes Act, 1947.

Shri J. N. Pandey, Head Cashier & Treasurer, Representative, The Central Bank of India Ltd., Ajmer, Present Address Shri J. N. Pandey, C/o, Shri U. B. Pandey, The Central Bank of India Ltd., Gwalior Lashkar—*Applicant*.

*Vs.*

The Central Bank of India Ltd., Jaipur—*Opposite Party*.

Shri Chaman Lal, Advocate—*for the management*.

Shri J. N. Pandey with Shri A. R. Vadhvani, Advocate—*for the workman*.

In the matter of Reference No. 1 of 1960, pending before the National Industrial Tribunal (Bank Disputes), Bombay

AWARD

The petitioner in O.P. No. 13 of 1961 is The Central Bank of India Limited, Jaipur, and the respondent therein is Shri J. N. Pandey, who was Treasurer's Representative of the Central Bank of India Limited, Ajmer.

2. It is alleged in the petition, that the opposite party Shri J. N. Pandey was working as Treasurer's Representative, i.e. Head Cashier, at the Mathura Branch of the Bank in November, 1956, that on 7th November 1956 there was a shortage of cash amounting to Rs. 5,500, that Shri G. P. Chaturvedi, who was receiving Cashier, alleged, that he received the amount of Rs. 5,500, but that he handed over the amount to Shri J. N. Pandey, as he asked for it, that Shri Pandey denied that he had ever asked for the amount, or that Shri Chaturvedi had paid it to him, that the result was, that there was a shortage in cash in hand on that day, that ultimately the amount was recovered from Shri K. P. Bhargava, the then Treasurer of the Bank, who had guaranteed the conduct, acts and omissions of the Cash Department Staff, that the matter was reported to the police, that both Sarvashri J. N. Pandey and G. P. Chaturvedi were prosecuted, that Shri Pandey was discharged, that Shri G. P. Chaturvedi was convicted by the trial court, but later acquitted in appeal, that strictures were passed against Shri J. N. Pandey, doubting his integrity, that Shri K. P. Bhargava, the former Treasurer, resigned, that the new treasurer, M/s. Mela Ram Khullar & Sons for Agra and Jaipur group of the Bank, refused to give any guarantee regarding Shri Pandey, that a charge-sheet was served on Shri Pandey, that, as a result of the departmental enquiry, and the evidence brought on record, Shri Pandey was considered unfit to continue in the Bank's service, that accordingly he was discharged, and that the action of the Bank may be approved.

3. The contention on behalf of the workman is, that he was acquitted in the criminal case, that it is not true, that M/s. Mela Ram Khullar & Sons refused to give guarantee, that there was no proper enquiry, that the opposite party did not receive the cash, that the amount was found short with Shri Chaturvedi, that the opposite party is not responsible in any manner, that no grounds were made out for the discharge of the workman, and that the petition should be dismissed.

4. The point for consideration is:—

Whether approval should be given to the action of the management?

5. I.D. No. 28 of 1961 is a petition under Section 33A of the Industrial Disputes Act, filed by the workman, Shri J. N. Pandey, the respondent in O.P. No. 13 of 1961.

6. It is alleged in this petition that there was an incident on 7th November 1956, at the Mathura Branch of the Bank, where Shri Chaturvedi was working and the petitioner as Assistant Cashier, that Shri Chaturvedi received an amount of Rs. 5,500, that in the rough notebook, which he was maintaining, he showed that an amount of Rs. 5,500 had been paid into the hands of Shri Pandey, and with the latter's initials, that subsequently the initials appeared to have been scored out, that, when the amount of Rs. 5,500 was not found with Shri Chaturvedi, the petitioner at once reported the matter to the Sub-Agent of the Bank, that the latter checked the cash, and found Rs. 5,500 short, that there was a criminal case before a Magistrate, that the petitioner was discharged by the Magistrate, that Shri Chaturvedi was convicted, that however in appeal Shri Chaturvedi was acquitted by the Sessions Judge, that the Bank had made much of the strictures passed by the temporary Sessions Judge, that the discharge of the petitioner is unlawful, that there are no grounds for such discharge, that he was not negligent in any manner in handling the cash, that he is not responsible for the shortage, and that he should be re-instated in service, together with back wages.

7. The issues, that arise for determination, are:—

(1) Whether the discharge of Shri Pandey is lawful and justified?

(2) Whether his discharge is unlawful and wrongful as contended on his behalf?

(3) Whether Shri Pandey is entitled to re-instatement and back wages, as claimed?

(4) To what relief, if any, is the petitioner entitled?

*Issues No. 1—3 in I.D. No. 28 of 1961 and the Point in O.P. No. 13 of 1961.*

8. Both these petitions have been tried together at the request of parties, and the common evidence has been marked in the petition, I.D. No. 28 of 1961.

9. Shri Pandey, at the material time, on 7th November 1956, was working as Treasurer's Representative at the Mathura Office of the Central Bank of India Limited. According to the case of the management, on that day, when the cash was checked, a shortage of Rs. 5,500 was detected. This shortage was not accounted for either by Shri Pandey, or Shri Chaturvedi, who was the Assistant Cashier then. There was thus a loss of Rs. 5,500 suffered by the Bank. Shri Pandey, the Treasurer's Representative, did not give any satisfactory explanation, except stating, that Shri Chaturvedi had not given him the amount in question. The matter was reported to the police, and both Sarvashri Pandey and Chaturvedi were put up for trial before the Judicial Magistrate 1 Class, Mathura and they were both accused under Section 409 of the Indian Penal Code. The Magistrate discharged Shri Pandey, but Shri Chaturvedi was committed to the Sessions Court to stand his trial under Section 409. The Assistant Sessions Judge convicted Shri Chaturvedi under Section 409, and sentenced him to rigorous imprisonment for three years, and a fine of Rs. 2,000, and in default of payment of fine, he was directed to undergo rigorous imprisonment for a further term of six months. Shri Chaturvedi preferred an appeal to the Sessions Judge, and a copy of the judgment therein is Ext. M/11. The appeal was allowed, the judgment of the Assistant Sessions Judge was set aside, and Shri Chaturvedi was acquitted. It will thus be seen, that in the criminal case Shri Chaturvedi was acquitted in appeal by the Sessions Court, whereas Shri Pandey was discharged by the 1 Class Magistrate, who made the preliminary enquiry.

10. The contention now on behalf of Shri J. N. Pandey is, that the criminal case, filed against him, has failed, that he is not responsible for the shortage of money in any manner, and that the Bank is bound to re-instate him in service.

11. The judgment of the Sessions Judge is dated 13th January 1960. The management served a charge-sheet on Shri J. N. Pandey, i.e. Ext. W/1, on 3rd May 1960. In the charge-sheet, Ext. W/1 are set out certain strictures, passed by the Sessions Judge in appeal against Shri Pandey. The management stated in Ext. W/1, that from the strictures passed by the Judge, Shri Pandey had laid himself open to the charge of embezzlement or criminal misappropriation of

amount, or gross negligence in discharge of his duties, resulting in the loss of Rs. 5,500 to the Bank, that on two previous occasions, he was involved in shortage and loss of Rs. 400 and Rs. 700, though the said loss had been made good by the Treasurer, that, on account of the above facts, there was a prima facie case to proceed against him under Paragraph 521(4)(j) of the Sastry Award, in addition to the charges under (d) and (j) of the said Award, that M/s. Mela Ram Khullar & Sons, under whose guarantee Shri Pandey was working, had also informed the Bank, that they were not prepared to continue their guarantee, and that Shri Pandey should show cause, why his services should not be terminated. The explanation of Shri Pandey is Ext. M/3. Therein Shri Pandey prayed, that he might be allowed time to prefer an appeal to the Allahabad High Court, to establish his innocence. He pleaded, that he should not be proceeded against by way of disciplinary action, and that he was not guilty of any of the charges levelled against him. By Ext. M/2 dated 16th September 1960, the Bank informed Shri Pandey, that the explanation was not found satisfactory, and that an enquiry would be held by the Internal Auditor, who had been empowered to hold the enquiry by the Bank. Ext. M/4 is the further explanation, that was submitted by Shri Pandey. Ext. M/5 is the further statement, that was given by Shri Pandey dated 4th October 1960. Ext. M/6 contains the record of enquiry of the Enquiry Officer, who was Internal Auditor of the Bank. Ext. M/7 is the finding of the Enquiry Officer, holding, that Shri Pandey was guilty of gross misconduct, as in Paragraph 521(4)(j) of the Sastry Award. Ext. M/7A is the order, directing discharge of Shri J. N. Pandey, and Ext. M/7B is the order of discharge with effect from 4th October 1960. An appeal was preferred by Shri Pandey, and Ext. M/8 relates to the proceedings in appeal. Ext. M/9 contains the finding of the Appellate Officer, and it was stated therein, that, in view of the strictures passed by the Sessions Court, it was inadvisable and undesirable to allow the appellant to continue in service of a credit institution like a Bank, and that the discharge of Shri Pandey was confirmed with effect from 7th October 1960. By the order Ext. M/10 Shri Pandey was informed that his appeal was dismissed, and that the order of discharge passed against him was confirmed with effect from 7th October, 1960.

12. The contention on behalf of the workman is, that Shri Pandey was discharged in the criminal case, and that this automatically entitles him to re-instatement. True, he was discharged by the I Class Magistrate of Mathura. On behalf of the Bank it has also not been contended before me, that it has been proved, that Shri Pandey was guilty of mis-appropriation of Rs. 5,500, or embezzlement of the same. What is urged before me is, that he was the Treasurer's Representative, and that, on account of his gross negligence, the Bank lost the amount of Rs. 5,500, and that this is sufficient to make him guilty of misconduct within the meaning of Paragraph 521(4)(j) of the Sastry Award, which runs as follows:-

"Doing any act prejudicial to the interests of the bank, or gross negligence, or negligence involving, or likely to involve the bank in serious loss."

On the facts of the present case, there is no doubt at all, that the Bank has lost the amount of Rs. 5,500. There is no doubt at all, that on the evidence produced before the Enquiry Officer, he was justified in coming to the conclusion, that a charge under Paragraph 521(4)(j) had been established beyond doubt, that Shri Pandey was guilty of gross negligence, resulting in a loss of Rs. 5,500, and that the Bank was entitled to terminate his service. The said finding is not perverse or baseless. I see no sufficient grounds for holding, that this conclusion is unjustified on the evidence. There was a fair and proper enquiry in accordance with the principles of natural justice. There are no grounds made out for interference with the order of discharge on any of the grounds specified in the Indian Iron and Steel Company Limited (1958 I LLJ 260).

13. In addition, we have also got the strictures passed by the Sessions Judge in Ext. M/11. A perusal of the judgment of the Sessions Court in Ext. M/11 shows, that severe strictures were passed against Shri Pandey, and it was remarked, that the Assistant Sessions Judge had overlooked the numerous lies given out by Shri Pandey. The Bank was entitled to conclude on the strength of the strictures, passed against Shri Pandey, that he was unworthy of being continued in the service of the Bank in the responsible post of the Treasurer's Representative.

14. Yet, another circumstance that appears on the evidence, is, that M/s. Mela Ram Khullar & Sons, the Treasurer, under whose guarantee he was working, withdrew their guarantee in favour of Shri Pandey. On this account also, the Bank was entitled to terminate the service of Shri Pandey.

15. Considering all circumstances, I am of opinion, that the discharge of Shri Pandey is not wrongful, or illegal, that it is lawful and justified, that the action of the Bank is bona fide, and is not an act of unfair labour practice, or victimisation, and that the order of termination of service was passed after a fair and proper enquiry in accordance with the principles of natural justice. There are no grounds made out for setting aside the order of termination of service, or for reinstatement of the workman, or back wages, in the manner claimed.

Issue No. 4 in I. D. No. 28 of 1961.

16. In view of my finding, as above, Shri Pandey is not entitled to any relief in I.D. No. 28 of 1961, and the Bank is entitled to have approval of the action taken by them as prayed for.

17. In the result, the petition, O.P. No. 13 of 1961, is allowed, and approval is given to the action of the management, as prayed for.

18. The petition, I.D. No. 28 of 1961, is dismissed, and Shri J. N. Pandey is not entitled to any relief.

19. There will be no order as to costs in both the petitions.

20. An award is passed accordingly in I.D. No. 28 of 1961.

(Seven pages).

Th: 16th March, 1961.

Sd./- E. KRISHNA MURTI,

Central Government Labour Court: Delhi.

[No. 55(14)/61-LRIV.]

New Delhi, the 7th April 1961

S.O. 834—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to the Bombay Port Trust and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY.

REFERENCE No CGIT-36 OF 1960

Employers in relation to the Bombay Port Trust

AND

its workmen represented by the Bombay Port Trust General Workers' Union.

PRESENT:

Shri Salim M. Merchant—*Presiding Officer*.

APPEARANCES:

*For the employers:*—Shri M. R. S. Captain, Ag. Legal Adviser, Shri S. D. Chitar, Deputy Secretary, Capt. Balaporia Sr. Dock Master and Shri H. P. Tavadia, Ag. Jr. Assistant Legal Adviser.

*For the workmen:*—Shri S. Maltra, General Secretary, Bombay Port Trust, General Workers' Union.

STATE: Maharashtra.

INDUSTRY: Ports and Docks.

Dated Camp Dhanbad—31st March 1961.

#### AWARD

The Central Government by the Ministry of Labour and Employment's Order No. 28/50/60LRIV dated 29th November, 1960 as amended by the Ministry's subsequent notification No. 28/50/60-LRIV dated 23rd January 1961 on a joint application of the parties was pleased, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947, to refer the

industrial dispute between the parties above named in respect of the following matters specified in the schedule to the said order, to be for adjudication:—

#### SCHEDULE

"Whether the shore crews of the Port Department at the Marine Oil Terminal at Butcher Island should be paid any wages for the period of their strike from 1st to 7th June, 1960."

2. After the usual notices were issued on the parties, the Bombay Port Trust General Workers' Union (hereinafter referred to as the union) filed its statement of claim dated 23rd February, 1961 to which the Bombay Port Trust filed its written statement in reply dated 13th March, 1961. The dispute was thereafter heard on 16th March 1961.

3. The total number of shore crew of the Port Department working at the Marine Oil Terminal at Butcher Island is about 73. It is admitted that these workmen were on strike from the 1st to the 7th June 1960. The history of this dispute is that prior to 1st June 1960 the shore crew worked in two shifts of 12 hours each made up of 8 hours of normal duty, 2 hours of fixed overtime and 2 hours of variable recess. Besides, they were entitled to 45 minutes overtime allowance, as Butcher Island Residence Compensatory Allowance, which the workmen had claimed as compensation for having to maintain two establishments—one on shore and the other at Butcher Island. On 10th March 1960, the Secretary of the Union addressed a letter to the Deputy Secretary, Bombay Port Trust stating that this system of shift working caused hardship to the shore crew inasmuch as they were not able to take their meals at reasonable hours, the recess hours being subject to sudden changes to suit exigencies of service; that even during the recess hours the workmen were not able to enjoy effective recess as recommended by Shri P. C. Choudhary, Officer on Special Duty. They, therefore, requested that the shore crew should either be placed in a shift of straight 12 hours without any recess or straight 10 hours without any recess. Not having received a reply to this letter, the General Secretary of the Union wrote another letter on the 23rd March 1960 in which he threatened that unless the grievances of the shore workers were settled amicably by 8th April 1960 they would resort to a strike. The Deputy Secretary of the Port Trust by his letter dated 24th March 1960 did not accede to the demands and drew the attention of the union to the finding of the learned Adjudicator, Shri A. Das Gupta, in his award in Reference No. 5 of 1957, which was to the effect that the work in Butcher Island is not so very intensive as to deprive the workers of the recess period and that even on days on which they have no work they get two hours overtime. This rejection was repeated in the Port Trust's letter dated 31st March 1960. (See annexure to Bombay Port Trust's written statement). Thereupon, the union by its letter dated 2nd April 1960 stated that in view of the rejection of their demands it had no other alternative except to resort to a strike effective from 9th April 1960 and also communicated this decision to the Regional Labour Commissioner. Some negotiations appear to have been held on 7th April 1960 between the General Manager of the Port Trust and Shri Maitra when Shri Maitra was asked to postpone the threatened strike till 16th April 1960 to which he agreed subject to ratification by the members of his union. It appears that although Shri Maitra was agreeable to the strike being postponed the workmen launched the strike from 9th April 1960. Negotiations were then started during which the union appears to have asked for the introduction of an 8 hours shift with no recess or 9 hours shift with one hour's recess. The Port Trust promised to consider the feasibility of introducing such a shift with effect from 1st June 1960 and on this assurance the strike was called off on 12th April 1960. Thereafter conciliation proceedings took place before the Regional Labour Commissioner (Central) and on 16th April 1960 a settlement was reached on this and some other matters, which are not relevant for the purposes of this dispute. It is admitted by the union that this was a "settlement" as defined by sub-section (p) of section 2 of the Industrial Disputes Act, 1947, and the union had acknowledged it as such in its letter dated 27th May 1960 addressed to the Deputy Secretary, Bombay Port Trust, a copy of which was filed in these proceedings in which it stated, "that system having been changed by a 'Settlement' under the Industrial Disputes Act to 8 hours regular working per day....." The relevant clauses of the settlement for the purposes of this reference are clauses 3 and 4, which were in the following terms:—

- (iii) "The Bombay Port Trust will introduce normal 8 hours' shift for the shore crews of the Port Department at Butcher Island as far as possible by 1st June 1960.
- (iv) The workers have on the other hand agreed if required by exigencies of work that they will have no objection to do overtime as required by the Administration."

This settlement was signed on behalf of the Trustees of the Port of Bombay by Shri S. D. Chitar, Deputy Secretary of the Bombay Port Trust and on behalf of the workmen by Shri S. Maitra, General Secretary of the Bombay Port Trust General Workers' Union, and was countersigned by the Regional Labour Commissioner (C) and two other witnesses.

4. It is the union's contention that the Port Trust thereafter adopted dilatory tactics and raised certain extraneous issues and unnecessarily delayed implementation of the settlement. Its further contention is that the Port Trust did not by 1st June 1960 take the necessary steps to implement the terms of the settlement of 16th April 1960 and that therefore the shore crew were compelled in order to secure the implementation of the Award to resort to a strike from 1st June 1960 to 7th June 1960, after which an agreement was reached by which the Port Trust introduced 8 hours shift working and provided transport facilities to the shore crew to come to the shore after the shift hours and also agreed not to treat overtime working as a normal feature of their service. In other words, the union's contention is that the workmen were provoked to strike as the Port Trust had not by 1st June 1960, the agreed date, taken the necessary steps to implement the terms of the settlement of 16th April 1960. In short the union's case is that the strike was justified and it therefore claims that the workmen should be paid their wages for the period of the strike from 1st June 1960 to 7th June 1960.

5. On the other hand the Port Trust in its written statement has contended (1) that the strike was illegal and therefore could not be held to be justified and there could therefore be no question of awarding any wages to the workmen for the period of the strike and (2) that on the merits the workmen were not justified in resorting to a strike which was in any case premature as the union never gave the Port Trust a chance to introduce the 8 hours shift on 1st June 1960.

6. I shall first deal with the contention of the Port Trust that the strike was illegal and therefore not justified. As I have pointed out earlier, there is not the least doubt that the settlement of 16th April 1960 reached before the Regional Labour Commissioner (C) was a settlement as defined by clause (p) of section 2 of the Industrial Disputes Act as it was a settlement arrived at in the course of conciliation proceedings. Clause (p) is as follows:—

“(p) “settlement” means a settlement arrived at in the course of conciliation proceedings and includes a written agreement between the employer and workmen arrived at otherwise than in the course of conciliation proceedings where such agreement has been signed by the parties thereto in such manner as may be prescribed and a copy thereof has been sent to the appropriate Government and the conciliation officer.”

As pointed out earlier, the union in its letter of 27th May 1960 has admitted that the settlement of 16th April 1960 was a settlement under the Industrial Disputes Act. There is also no doubt that the strike was in respect of matters covered by this settlement of 16th April 1960, which was clearly in operation during the period of the strike. The strike was therefore in contravention of clause (c) of section 23 of the Industrial Disputes Act and was therefore an illegal strike under section 24(1)(i) of the Act.

7. Now, the Hon'ble Supreme Court in the Case of the Indian General Navigation and Railway Company Ltd., and another and their workmen [A.I.R. 1960 (S.C.) P. 220/221] has laid down that a strike which is illegal cannot at the same time be characterised as justified; that these two contentions cannot in Law co-exist: that the Law has made a distinction between a strike which is illegal and one which is not, but it has not made any distinction between an illegal strike which may be said to be justifiable and one which is not justifiable. Their Lordships have observed that this distinction is not warranted by the Industrial Disputes Act and is wholly misconceived and that it is not permissible to characterise an illegal strike as justifiable. Their Lordships in that case warned:—

“Therefore, the finding to condone what has been declared to be illegal by statute must be deprecated, and it must be clearly understood by those who take part in an illegal strike that thereby they make themselves liable to be dealt with by their employers.”

8. I, therefore, uphold the contention of Shri Captain that the strike was illegal under section 24(1)(i) of the Act and hence the strike cannot be held to be justified and the workmen cannot claim any wages for the period of the strike.

9. I would, however, like to say a few words regarding Shri Maitra's contention, urged with some vehemence at the hearing, that the Port Trust had not by

1st June 1960 taken the necessary steps to implement the settlement of 16th April 1960 and that the workmen were driven to resorting to a strike in securing implementation of the agreement.

10. It appears that after the settlement of 16th April 1960 the union on 5th May 1960 addressed a letter to the Deputy Secretary of the Port Trust contending that it would not be incumbent on the workers to do any overtime work under normal circumstances after the 8 hours shift was introduced from 1st June 1960. Shri Maitra stated at the hearing that he had to refer to this matter as during his talks with the officers of the Bombay Port Trust he had gathered that it was the intention of the authorities to require the shore crew working at Butcher Island to work overtime beyond 8 hours even in normal circumstances and that the administration was not going to provide any transport to the shore crew to return to shore after their 3 hours shift work. The Deputy Secretary in his reply dated 10th May 1960 stated that the union's contention that it would not be incumbent on the workers to do any overtime work under normal circumstances was not in accordance with the terms of the settlement and could not be accepted and that it was for the administration to decide whether its employees should work overtime. Thereafter, on 24th May 1960 the General Secretary of the union addressed a letter to the Regional Labour Commissioner (C) with copy to the Deputy Secretary, in which, referring to the settlement of 1st June 1960, he stated that it was expected that the 8 hours shift working for the shore crew would be introduced by 1st June 1960. He further went on to say:—

"It is to be noted that after the introduction of 8 hours' shift, overtime working will not remain a regular feature and the shore crews will not be staying on the island. They will be leaving for the mainland after the completion of 8 hours' work. It was accepted by the workers at the time of the settlement that the privilege of dormitory accommodation on the island will be withdrawn by the administration with the introduction of 8 hours working."

11. To this letter the Deputy Secretary in his reply dated 25th May 1960 stated that the union's statement that at the time of the settlement it was accepted by the workers that with the introduction of 8 hours working, the dormitory accommodation at Butcher Island would be withdrawn and they would be leaving for the mainland after the completion of 8 hours work, was baseless. He further stated that the workmen were at no time told that they would not be required to reside at Butcher Island. To this Shri Maitra replied by his letter dated 27th May 1960 in which he stated that when the workmen had gone on strike in April 1960 before the settlement of 16th April 1960 was reached, the General Manager of the Port Trust had, during negotiations, repeatedly stated before agreeing to the 8 hours shift working that in the event of the introduction of the 8 hours shift the employees would forfeit their right to dormitory privilege, payment of two hours fixed overtime and payment of Butcher Island (Residence) Compensatory Allowance, and that the employees had readily agreed to forego these rights and insisted on introduction of 8 hours shift working. Shri Maitra went on to state:—

"In other words withdrawal of dormitory accommodation was made a condition by the General Manager for the introduction of 8 hours shift working. On 13th April 1960 and 14th April 1960 the same question was repeated by you before the Regional Labour Commissioner (C) and the Conciliation Officer (C)(1) to the undersigned by you, and as desired by the employees, the undersigned had declared the willingness of the shore crews to forego dormitory accommodation at Butcher Island, with the introduction of 8 hours shift working."

He also referred to minutes of previous discussions between the Port Trust Administration and the union in which it was recorded that the work of the shore crew was essentially not different from the Alexandra Dock and Prince's and Victoria Docks and that as the shore crew of Prince's and Victoria Docks were not required to stay in their dormitories after the completion of their shift hours, the workmen of the Butcher Island also could not be asked to stay at Butcher Island after completion of the shift hours. He concluded the letter by stating that the 8 hours working for the shore crew at Butcher Island had to be introduced from 1st June 1960 and that if that was not done and if any difficulty was felt by the shore crew for their regular journey to and from the Butcher Island or if the shift hours were so changed as to cause the men inconvenience regarding transport in the city at night, and the men were forced to resort to any stoppage of work on such account, the entire responsibility would be that of the administration and that the administration would be held responsible for payment of wages for the period of the strike.

12. Thereafter, the men struck work from 1st June 1960 and the strike continued till 7th June 1960. In the meantime discussions were held by the parties with the Regional Labour Commissioner (C), and on 2nd June 1960 the union addressed a letter to the Deputy Secretary of the Port Trust offering the terms on which the shore crew would resume work at Butcher Island and ultimately a settlement was reached in the following terms as intimated by the Port Trust by its letter of 7th June 1960:—

- "1. Bhandaries, Utensils, Cots, Cupboards, Mosquito Curtains etc. supplied to the men are liable to be withdrawn partly or wholly on the introduction of 8 hours' working.
2. With the introduction of 8 hours' working, overtime working will not be a normal feature of service for shore crews on the Island but the men may have to put in overtime work according to the exigencies of the service, for which they will be paid in accordance with the law.
3. Free transport to the Shore Crews to and from the Island will be provided as far as possible so as to enable them to avail of the city public transport.
4. The question of what payment should be made to the men who are detained due to the non-availability of transport will be decided by the Chairman after he has taken into consideration the circumstances, and the duration of such non-availability of transport.
5. It is agreed that during the monsoon, if the crew of one shift cannot be transported to Butcher Island, those who had reported for duty at the P. & V. Docks will not be marked absent but will be paid the normal pay and allowances for the day.
6. The Chairman will decide the quantum of compensation for the idle period of 8 hours. Overtime will be payable for detention on duty.
7. A joint reference will be made to the Tribunal as to whether or not the strike was justified or unjustified and how in either case payment if any, is to be made for the period of strike.

It is expected that transport will be provided to bring both shifts ashore and take them back to Butcher Island in accordance with their hours of duty, the latest by the morning of 13th June.

It is agreed by you that the strike will be called off forthwith."

13. I may here state that 8 hours shift working at Butcher Island on the terms recorded above, was continued till 4th December 1960 after which on the demand of the union the two shift system of working for the shore crew, as it existed prior to 1st June 1960 was re-introduced. Under this arrangement, each shift comprises 8 hours normal duty, 2 hours variable recess and 2 hours fixed overtime and instead of the Butcher Island Residency Compensatory Allowance related to overtime payment, a fixed monthly allowance is being paid to the shore crew.

14. I have carefully perused, the correspondence filed by the parties and I have also given anxious consideration to the submissions made by the parties. On the question of the workmen being required to work overtime, the Port Trust has pointed out that the nature of the work of the shore crew at Butcher Island would require their having to work overtime in the discharge of their normal duties. It appears that the shore crew at Butcher Island are engaged in tying up tankers which come to Butcher Island, which is a marine oil terminal. Shri Captain has pointed out that it takes the shore crew 3 to 3½ hours to properly tie up a tanker and that if during the process of this work the shift ends it would dislocate work if the workmen were not required to continue the work on overtime basis till the tying up was completed. He has in that connection referred to the correspondence that passed between the Deputy Conservator and the Dock Master, Butcher Island and Pir Pau which proves that repeated complaints were made by the Dock Master about how the early knocking off from work of the shore crew in the first shift and the late arrival of the shore crew of the second shift was dislocating the working at Butcher Island resulting in serious complaints being made by the companies owning the tankers. He has further pointed out that the work on the Butcher Island is regulated by tidal conditions and, therefore, it became necessary to ask the workmen to do overtime work to finish even the normal work of the shift. Shri Maitra on the other hand has agreed that clause 4 of the agreement of 16th April 1960 provided for overtime only if exigencies of work so required. But he admits that what is exigencies of work is to be within the discretion of the administration. Whilst in ordinary nature of work, continuance of normal duties after completion of the shift on overtime basis cannot be said to be justified on the ground of exigency of work,



in the peculiar nature of the work at Butcher Island, it could not be said that if the workmen were required to work beyond their shift hours till the work of tying up a particular tanker was completed, it is not exigencies of work. However, Shri Maitra's main contention has been that the Port Trust had made no proper arrangements by 1st June 1960 to implement the agreement and that the Port Trust's contention that the workmen were not entitled to come to shore after their 8 hours shift working had ended, but would have to continue to stay on at Butcher Island was not contemplated by the agreement. His contention was that 8 hours working necessarily implied that the shore crew would be provided with facilities to come back to shore at the end of their shift and that if necessary transport facilities were not made available to them the whole object of the workmen's demand for an 8 hours shift would have been lost. Shri Maitra has stated that by 1st June 1960 the union had been informed that it would be possible for the Port Trust to provide transport for only the workmen of the first shift and not of the second shift which ended at 11 p.m. Shri Maitra has also made a grievance of the fact that the Chairman of the Port Trust had not issued any orders for introduction of the 8 hours shift. To this Shri Captain's reply was that the Chairman could not issue orders for the introduction of the eight hours shift unless he had received specific authority from the Trustees to do so. Shri Maitra on the other hand referred to an earlier resolution of the Trustees No. 681 dated 31st July 1959 by which the Chairman could have introduced 8 hours shift working for the shore crew at Butcher Island without specific authorisation from the Board of Trustees. I do not want to enter into the details of this controversy, but it does appear to me that Shri Maitra's grievance that the Port Trust had not made the necessary arrangements by 1st June 1960 for giving effect to the introduction of the 8 hours shift in implementation of the agreement of 16th April 1960 appears to be not without substance. But in my opinion the union was not justified in having resorted to a strike on 1st June 1960 without waiting to see how the agreement was in effect going to be implemented by the Port Trust. Shri Captain has stated that the strike was premature and that Shri Maitra had soon after the agreement of 16th April 1960 raised unnecessary difficulties. I do not fully agree with this contention of Shri Captain as I am inclined to feel that Shri Maitra was not entirely in the wrong in having raised these questions. But it does appear to me that the union's action in launching the strike on 1st June 1960, the date on which the agreement was to be implemented, was precipitate. In the circumstances on the merits also I am not satisfied that the union was justified in resorting to the extreme step of the strike.

15. I, therefore, hold that on the merits also the strike was not justified. In the result the workmen would not be entitled to payment of wages for the period of the strike.

(SD.) SALIM M. MERCHANT,

Dated The 31st March 1961

Presiding Officer,  
Central Government Industrial Tribunal Bombay.

[No. F. 28/50/60-LRIV]

G. JAGANNATHAN, Under Secy.

New Delhi, the 5th April 1961

**S.O. 835.**—In pursuance of clause (c) of sub-paragraph (1) of paragraph 3 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby specifies the Government of the State of Gujarat as a Government which is entitled to nominate a member on the Central Board of Trustees and directs that in the notification of the Government of India in the late Ministry of Labour, No. S.R.O. 1861, dated the 31st October, 1952, after item 8-C, the following item shall be inserted, namely:—

"8-D. Shri B. B. Brahmabhatt, Deputy Secretary to the Government of Gujarat, Education and Labour Department, Ahmedabad."

[No. 10/15/60-PF.II.]

**S.O. 836.**—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st November, 1952 to the factory known as Messrs. Dalmia Cement (Bharat) Ltd., Dalmiapuram, Madras, there was in existence a provident fund common to the employees employed in

the factory, to which the said Act applies and the employees in the establishments specified in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the said establishments.

#### SCHEDULE

1. Messrs. Dalmia Cement (Bharat) Ltd., Post Box No. 364, Scindia House, New Delhi.
2. Messrs. Dalmia Cement (Bharat) Ltd., Stephen House, 4, Dalhousie Square East, Calcutta—1.
3. Messrs. Dalmia Cement (Bharat) Ltd., 304, Thambu Chetty Street, Madras—1.

[No. 7(1)/60-PF.II.]

*New Delhi, the 7th April 1961*

**S.O. 837.**—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following scheme further to amend the Cochin Dock Workers (Regulation of Employment) Scheme, 1959, the same having been previously published as required by the said sub-section, namely:—

#### Amendment

1. This Scheme may be called the Cochin Dock Workers (Regulation of Employment) Amendment Scheme 1961.

2. In the Cochin Dock Workers (Regulation of Employment) Scheme, 1959, in clause 2, after sub-clause (3), the following sub-clause shall be inserted, namely:—

“(4) Nothing in this Scheme shall apply to any class or description of dock worker and dock workers in relation to any ship of the Indian Navy.”

[No. 522(1)/60-Fac.]

*New Delhi, the 10th April, 1961*

**S.O. 838.**—In exercise of the powers conferred by sub-section (1) of the Employees' Provident Funds Act 1952 (19 of 1952), the Central Government hereby appoints Shri P. N. Bhalla, I.A.S., Labour Commissioner, Punjab, to be an Inspector for the State of Punjab and for the Union Territory of Himachal Pradesh *vice* Shri H. R. Singh for the purposes of the said Act and of any scheme framed thereunder, in relation to an establishment belonging to, or under the control of, the Central Government or in relation to an establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry.

[No. F. 17(3)/61-PF.I.]

**S.O. 839.**—In pursuance of the provisions of paragraph 20 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints Shri P. N. Bhalla, I.A.S., Labour Commissioner, Punjab, as Regional Provident Fund Commissioner for the whole Region of Punjab and Himachal Pradesh *vice* Shri H. R. Singh. Shri P. N. Bhalla shall work under the general control and superintendence of the Central Provident Fund Commissioner.

[No. F. 17(3)61-PF.I.]

*New Delhi, the 11th April 1961*

**S.O. 840/PWA/14/Mines/2/61.**—In exercise of the powers conferred by sub-section (3) of section 14 read with section 24 of the Payment of wages Act, 1936 (4 of 1936), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1701/PWA/14/Mines/60, dated the 29th June, 1960, namely:—

In the said notification in item No. VI—

- (1) (a) against Serial No. (iv) for the words and brackets “Jharia (at Dhanbad)” the words figure, and brackets “Dhanbad (Headquarters I)” shall be substituted;

- (b) against Serial Nos. (xxi) and (xxiv) for the words, figures and brackets "(Headquarters I)" and "(Headquarters II)", the words, figures and brackets "(Headquarters II)" and "(Headquarters III)" respectively shall be substituted; and
- (2) in entry 10, for the words "Pathordih" and "Sinidih" the words "Katrasgarh" and "Asansol" respectively shall be substituted.

[No. Fac. 535(13)/61.]

P. D. GAIHA, Under Secy.

*New Delhi, the 6th April 1961*

**S.O. 841.**—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempt the Damodar Valley Corporation Sub-station, Howrah, from all the provisions of the said Act, except Chapter V-A, for a period of one year with effect from the date of publication of this notification in the Official Gazette.

[No. HI-6(30)/60.]

BALWANT SINGH, Under Secy.

*New Delhi, the 6th April 1961*

**S.O. 842.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Murlidih Colliery and their workmen.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL DHANBAD****REFERENCE No. 57 of 1960****PARTIES****Employers in relation to the Murlidih Colliery.****AND****Their workmen.****PRESENT:****Shri Salim M. Merchant, B.A.L.L.B., Presiding Officer.****Central Government Industrial Tribunal, Dhanbad.***Dhanbad, dated the 30th March 1961***APPEARANCES:****Shri C. D. Thacker, Law Officer, for the employers.****Shri S. Das Gupta, Secretary, Colliery Mazdoor Sangh, for the workmen.****STATE: Bihar.****INDUSTRY: Coal.****AWARD**

The Government of India, Ministry of Labour and Employment by Order No. 2/230/60-LRII dated the 14th December 1960, made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), was pleased to refer for adjudication the industrial dispute between the parties above named in respect of the matters specified in the following schedule to the said order to the Industrial Tribunal at Dhanbad constituted under Section 7A of the said Act.

2. "Whether the dismissal of Shri Moti Mahato, surface trammer of Murlidih colliery, by the management is justified.

If not, to what relief is he entitled?"

2. After the above reference was made Shri G. Palit, the learned Presiding Officer of the Central Government Industrial Tribunal Dhanbad, passed away on 20th January 1961 and in the vacancy so caused, the Government of India in the Ministry of Labour & Employment by its Order No. F.21(1)/61-LRIII dated

the 16th February 1961 (S.O. 457) made in exercise of the powers conferred under Section 8 of the Industrial Disputes Act, 1947 (XIV of 1947), was pleased to appoint me to that office.

3. After the parties had filed their written statements, the dispute was fixed for hearing by me on 24th March 1961, when on the application of the parties the hearing was adjourned to 29th March 1961 for them to explore chances of a settlement. On 29th March 1961 the parties have filed the terms of settlement reached between them under which *inter alia* the company has agreed to reinstate the workman concerned Shri Moti Mahato in service with effect from 1st April 1961 with continuity of service, the period of idleness from the date of dismissal upto 31st March 1961 being treated as leave without pay. The management have also agreed to make an *ex-gratia* payment of Rs 200 (two hundred) and the parties have agreed to bear their own costs. A copy of the terms of settlement reached between the parties is annexed hereto and marked Annexure 'A'. The parties have prayed that the dispute may be disposed of in terms of the settlement reached between them and an award be made in terms of the settlement reached thereof. As I am satisfied that the terms of settlement are fair and reasonable, I make an award in terms of the settlement (Annexure 'A') which shall form part of this award.

DHANBAD  
The 30th March, 1961.

(Sd.) SALIM M. MERCHANT,  
Presiding Officer,  
Central Govt. Industrial Tribunal, Dhanbad.

#### ANNEXURE 'A'

BEFORE THE CHAIRMAN, CENTRAL GOVT. INDUSTRIAL TRIBUNAL,  
DHANBAD

REFERENCE No. 57 OF 1960

Employers in relation to Murulidih Colliery.

AND

Their workmen.

The above reference has been settled between the parties on the following terms:—

1. That Shri Moti Mahato will be re-instated with effect from 1st April, 1961 with continuity of service, the period of idleness from the date of dismissal upto 31st March, 1961 being treated as leave without pay.
2. That no wages for the period of idleness will be paid. The worker will however be paid Rs. 200 (Rupees two hundred) only as *Ex-gratia* payment.
3. That parties will bear their own respective costs.

It is, therefore, humbly prayed that the above reference may be disposed of on the terms aforesaid and an Award be passed accordingly.

For Workmen.

S. DAS GUPTA,

Secretary,  
Colliery Mazdoor Sangh.  
29-3-1961.

For the Employers.

C. D. THACKER,

Law Officer.  
29-3-1961.

[No. 2/230/60-LRII.]

New Delhi, the 10th April, 1961

S.O. 843—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Loyabad Colliery Workshop and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.

REFERENCE No. 56 OF 1960

PARTIES:

Employers in relation to Loyabad Colliery Workshop

AND

Their workmen.

PRESENT:

Shri Salim M. Merchant, B.A.L.L.B., Presiding Officer.

APPEARANCES:

Shri J. L. Sinha, Group Personnel Officer, instructed by Shri P. K. Mitter, Chief Personnel Officer, for the employers.

Shri Lalit Burman, General Secretary, Loyabad Labour Union, for the workmen.

Dhanbad, dated the 1st April 1961

INDUSTRY: Coal.

STATE: BIHAR.

### AWARD

The Government of India, Ministry of Labour & Employment, by Order No. 2/208/60-LR.II dated the 14th December 1960 made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (XIV of 47) was pleased to refer the industrial dispute between the parties above named in respect of the matters specified in the following schedule to the said order, to the Industrial Tribunal at Dhanbad constituted under Section 7A of the Act.

"Having regard to the nature of duties performed by S/Shri Halim Khan and T. N. Chatterjee, electricians of Loyabad Colliery Workshop, in which category they should be placed with effect from the 1st May 1959, under the Award of the All India Industrial Tribunal (Colliery Disputes), as modified by the decision of the Labour Appellate Tribunal."

2. After the above reference was made, Shri G. Palit, the learned Presiding Officer of the Central Government Industrial Tribunal, Dhanbad, passed away on 20th January 1961 and in the vacancy so caused, the Government of India in the Ministry of Labour & Employment by its Order No. F 21(1)/61-LR.III dated the 16th February 1961 (S.O. 457), made in exercise of the powers conferred under Section 8 of the Industrial Disputes Act, 1947 (XIV of 1947), was pleased to appoint me to that office.

3. After the parties filed their written statements the dispute was taken up for hearing by me on 24th March 1961. The dispute centres round the proper categorisation of two workmen, Halim Khan and T. N. Chatterjee, who admittedly are electricians working in the Loyabad colliery workshop, under the directions given by the award of the All India Industrial Tribunal (Colliery Disputes) (hereinafter referred to as the Majumdar Award) as modified by the decision of the Labour Appellate Tribunal. The question is to be decided on the basis of the nature of the duties performed by these two workmen. Before dealing with the evidence on record as to the nature of the duties performed by these two workmen, it is necessary to state that before the Majumdar Tribunal an agreed list of job descriptions of workers was filed, and under W. 9 the job description of an electrician Grade I is stated as follows:—(See page 1297 of the Majumdar Award dated 26th May, 1956;

"A workman possessing statutory qualifications capable of reading diagrams and having a thorough knowledge of wiring circuits and of the construction and use of all items of electric equipment on which he has to work. He must be capable of detecting and rectifying faults with the minimum delay and dismantling of the equipment in question. He must be capable of working independently."

Under item No. W-21 Electrician Grade II has been described as:—

"A workman having the same general qualifications as an Electrician, Grade I but having less skill/experience and requiring some degree of guidance and supervision. A "wireman" is an electrician who deals mainly with cables, wiring etc."

4. Now, it is admitted that before the Majumdar Tribunal the representatives of employers and workmen had filed a common list of categorisation of all colliery workers, including the workers working in the workshops attached to collieries, into 10 categories. Those categories are shown in Appendix XII to the Majumdar Award under which Electricians Grade II (W. 21) have been placed in Category VII and Electricians Grade I (W. 9) have been placed in Category IX. It is necessary to state that the Labour Appellate Tribunal by its decision modified the rates of wages fixed for colliery workers and enhanced the basic rate of wages for category VII workmen to Rs. 1-14-0 and for Category IX workmen to Rs. 2-12-0 per day.

5. I may here state that a subsequent dispute with regard to wage scales of coal workers was referred to the arbitration of Shri A. Das Gupta, an ex-member of the Labour Appellate Tribunal, who, under the award prescribed scales of pay for colliery workers of the various categories. For category VII Shri A. Das Gupta prescribed the scale of basic pay of Rs. 1 87—0 12 nP.—Rs. 2 59 and for category IX workmen the scale prescribed was Rs. 2 75 nP.—0 14 nP.—Rs. 3 59 nP. For category IV workmen, the basic wage prescribed under the decision of the Labour Appellate Tribunal is Rs. 1-4-0 per day. Shri Das Gupta by his arbitration award has fixed for category IV, the wage scale of Rs. 1 25—0 09—Rs. 1 79. The rates of pay prescribed by the Majumdar Tribunal came into force from 26th May 1956 and the scales of pay prescribed by the Das Gupta Arbitration Award came into effect from 1st June, 1960.

6. It is admitted that both these workmen under reference were placed by the management in the category IV for which the basic pay under the Labour Appellate Tribunal's decision is Rs. 1 25 nP. per day, but under neutralisation both were entitled to higher pay than Rs. 1 25 nP. per day. It is, however, the admitted position that Halim Khan has since 1st December, 1960 been promoted to the grade of Electrical Winder in Grade II of Category VII. Thus since 1st December, 1960 Halim Khan is being paid the wages in Category VII.

7. The Union's contention is that both Halim Khan and Chatterjee are on the basis of their qualifications and the nature of duties performed by them entitled to be placed in category IX, in which electricians Grade I have been classified. Their contention is that these two workmen are doing all the jobs required to be done by electricians Grade I and that they have been working independently without any guidance or supervision. This was the case as stated by the union in its letter to the Conciliation Officer (Central) dated 2nd June, 1960.

8. The management's case, as stated in its written statement filed in this reference, is that Halim Khan and Chatterjee were immediately prior to the Majumdar Award designated as helpers and were getting a basic of As. 10 per day, that they were working in one or the other of the two back shifts and in the case of any break down during their shift the same was and is attended to by better qualified and more experienced electrical fitters working in the general shift, which overlaps the first and two other shifts, namely the second and third shifts; that the electricians of the general shift attend to the repair works of the machineries whilst those of the second and third shifts only keep watch on the running of the electric machinery, disconnect or stop it and change fuses and bulbs etc. when necessary. They also sometimes connect the pump testing motors and the actual testing is done by the mechanical fitter; that considering the work performed by the workmen under reference they were correctly graded as Electrician Grade III and placed under Category IV on the implementation of the Majumdar Award, as modified by the Labour Appellate Tribunal's decision; that the workmen had after three years of the implementation of the Majumdar Award for the first time claimed to be placed in Category VII. With regard to Chatterjee the management has stated that though he, "might have acquired a potential qualification of Grade II Electrician of Category VII but considering the nature of duties performed by him and want of vacancy wherein he could be promoted" he had been correctly placed in Category IV as Electrician Grade III of the Majumdar Award; that Halim Khan was promoted to post of Electrical Winder Grade II and had been placed in Category VII with effect from 1st December, 1960.

9. At the hearing the union filed a statement giving particulars about the jobs which Halim Khan and Chatterjee have to perform. (Exhibit W. 1), which have been serialised in nine items. Mr. Maqsood Ali (MW. 1), the Manager of the Loyabad Colliery Workshop, who was examined by the company on the question of duties has in his evidence fairly stated that these workmen were performing most of the duties enumerated therein. He has, however, not agreed with the full claim in respect of duties as stated by the union. The union in support of its demand for category IX for these two workmen has stated that both these workmen were

qualified electricians holding wireman's certificates and were appointed as electrical fitters for maintenance under the Indian Mines Act, 1923 and the Indian Mines Regulations, 1926. [Exhibits W. 3(a) and W. 3(b)]. They have also given particulars of the wireman's permit held by both these workmen, which are admitted by the management. It is also admitted by the management that both these workmen were appointed as electrical fitters for maintenance jobs in the workshop of these collieries and were authorised under bye-laws 65 to 67 and Rules 108, 113 & 115 of the Indian Electricity Rules. The workmen have filed a specimen copy of the daily log sheet reports which, admittedly, both these workmen submit with regard to the electrical apparatus and instruments of the workshop which are under their charge in their respective shifts. These reports are made under sub-rule 5 of the Rule 131 of the Electricity Rules, 1956. Rule 131 of the Electricity Rules, 1956, is headed "Supervision and Sub-rule 5 thereof provides that, "the electrician shall be personally responsible for the maintenance at the mine or oilfield, of a log-book made up of the daily log-sheets prepared in the form set out in Annexure XII. The result of all tests carried out in accordance with the provisions of sub-rule (3) shall be recorded in the log sheet prepared in the form set out in Annexure XII. On receipt of a request from the Inspector, log book shall be produced at any time for examination."

10. The management has admitted that both Chatterjee's and Halim Khan's duties include the submission of daily log sheets under sub-rule 5 of Rule 131 of the Rules, in the prescribed form. But it is argued by the management that these log sheets are countersigned by the electrical foreman and the manager of the workshop Shri Maqsood Ali (E.W. 1) has very fairly stated in his evidence that he used to ask the electrical foreman to countersign the log sheets submitted by these two workmen under sub-rule (5) of Rule 131 of the Electricity Rules, because he himself is not a qualified electrician. In my opinion, the fact that the electrical foreman used to countersign the daily log sheets submitted by these workmen is of little significance, considering that the electrical foreman works in the general shift while both these workmen work admittedly as electricians in their respective shifts, namely the 2nd and 3rd shifts, which are known as back shifts, in which they are electricians in charge. It is admitted that no other electricians have to submit this daily log sheets except Halim Khan and Chatterjee and this is so because they are held responsible for the electrical equipment and machinery of the workshop in their charge during their shifts.

11. It was next sought to be argued by the management that these two electricians do not do repair work but only do maintenance work and, therefore, they cannot be classified in either Category VII or Category IX. I am not satisfied that that would be the only test for determining their proper categorisation under the Award. In a sense, as argued by Shri Burman for the union, the maintenance job is more important than the repair work. Maintenance work relates to maintenance of electrical equipment and machinery, without which proper repair work would not be possible. The management tried to argue that these two electricians were only doing cleaning work and not overhauling, but it is admitted that when cleaning they have to dismantle and re-assemble the equipment or machinery, which would mean that they do over-hauling work.

12. It is further admitted that both these electricians do the test by the Megger machine. This was admitted by the Manager of the colliery Shri Maqsood Ali. I do not accept the management's contention that this type of work can be done by the lowest category electricians.

13. I am however, not satisfied that the union has made out a claim for these two workmen to be placed in Category IX. The union has relied upon the report of the Junior Labour Inspector (Central) dated 16th July, 1959, in which he had claimed Category IX for Chatterjee and Category XII for Halim Khan. The management on the other hand, has referred to the failure report of the Conciliation Officer (Central), Dhanbad, dated 23rd July, 1960, in which he has stated the Union's case as being that both these workmen were performing the duties of Grade II Electricians as per Majumdar Award. It is no doubt true that it is in the management's discretion to decide the classification of its workmen. But when agreed job description are prescribed the management must conform to them and exercise their discretion in a fair and reasonable manner in classifying its workmen. The management has already promoted Halim Khan to Category VII and it was stated that Chatterjee could not be promoted to Category VII, because of want of a vacancy of a post in Category VII. Thus virtually, the company also considers these workmen fit to be placed in category VII. From the oral and documentary evidence on record I am satisfied that having regard to the nature of the duties performed by Halim Khan and T. N. Chatterjee they were both entitled to be placed in Category VII under the Majumdar Award as modified by the decision of the Labour Appellate Tribunal.

14. The next question to consider is from what date they should be given the benefit of the scales of pay fixed under Category VII. Under the order of reference I am called upon to fix the date after the 1st May 1959, which is the date when the present dispute appears to have been raised. Considering that this dispute had been first raised in May 1959, and bearing in mind all the facts and circumstances of the case, I think the benefit of the scale of pay of Category VII as prescribed by the Majumdar Award and as modified by Labour Appellate Tribunal's decision, should be granted to both these workmen, with effect from 1st January, 1960 and I award accordingly. I further direct that dues of these two workmen on the above basis, in respect of their basic wages, dearness allowance, bonus, over-time wages, etc. should be worked out and paid to them within one month from the date this award becomes enforceable.

15. As the workmen have succeeded partially, I award Rs. 100 (one hundred) as costs, in their favour to be paid to their union.

**DHANBAD;**

The 1st April, 1961.

(Sd.) SALIM M. MERCHANT,

Presiding Officer,  
Central Govt. Industrial Tribunal, Dhanbad.

[No. 2/208/60-LRIL.]

### ORDERS

New Delhi, the 5th April 1961

**S.O. 844.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jeonagora East Bararee Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

### SCHEDULE.

- (1) Whether the management of the Jeonagora East Bararee Colliery is justified in transferring the following thirty workers to Khas Dharmaband Colliery from 20th June, 1960?
  1. Shri Rahmat Ali,—Bhatta Incharge.
  2. Shri Kapildeo Singh,—Water Mazdoor.
  3. Shri Budhan Lohar,—Luce Man.
  4. Shri Ganori Raut,—Trammer.
  5. Shri Mahadeo Mochi,—Trammer.
  6. Shri Digambar Dusad,—Drag Mazdoor.
  7. Shri Mohan Dusad I,—Drag Mazdoor.
  8. Shri Mohan Dusad No. 2,—Drag Mazdoor.
  9. Shri Anwarul Haq,—Drag Mazdoor.
  10. Shri Manager Singh,—Drag Mazdoor.
  11. Shri Ramrup (Ramrup) Singh,—Crusher Mazdoor.
  12. Shri Suraj Singh,—Crusher Mazdoor.
  13. Shri Sukai Saw,—Crusher Mazdoor.
  14. Shri Raghunath Bhuia,—Stacking Mazdoor.
  15. Shri Bandhu Bhuia,—Stacking Mazdoor.
  16. Shri Sital Bhuia,—Stacking Mazdoor.
  17. Shri Prasadi Mochi,—Stacking Mazdoor.
  18. Shri Saudagar Mochi,—Stacking Mazdoor.
- (2) If not, to what relief are the workers entitled?



19. Smt. Kabia Mochi,—Stacking Kamin.
20. Smt. Mamala Mudi,—Stacking Kamin.
21. Smt. Sukhoda Mudi,—Stacking Kamin.
22. Smt. Lilamani Mudi,—Stacking Kamin.
23. Smt. Chari Mudi,—Stacking Kamin.
24. Smt. Sumi Mudi,—Stacking Kamin.
25. Smt. Mushni Mudi,—Stacking Kamin.
26. Smt. Abala Mudi,—Stacking Kamin.
27. Smt. Jaitun Bibi,—Stacking Kamin.
28. Smt. Sadiq Bibi,—Stacking Kamin.
29. Smt. Falhari Mudi,—Stacking Mazdoor.
30. Shri Rajab Ali Mia,—P. Khalasi.

[No. 2/210/60-LRII.]

*New Delhi, the 11th April 1961*

**S.O. 845.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Seetalpur Colliery, Post Office Dishergarh and their workmen in respect of the matters specified in the Schedule hereto;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the dismissal of Shri Jogeshwar, timber mistry, is justified, and if not, to what relief is he entitled.

[No. 2/42/61-LRII.]

A. L. HANDA, Under Secy.

*New Delhi, the 11th April 1961*

**S.O. 846.**—In pursuance of regulation 25 of the Coal Mines Regulations, 1957, the Central Government hereby relieves Shri G. W. Hogg of his duties as an Assessor and appoints Shri F. S. Watcha, Deputy Chief Mining Engineer, Tata Iron and Steel Co. Ltd., Jamadoba, as an assessor in his place and makes the following amendment in the notification of the Government of India in the Ministry of Labour S.R.O. 478, dated the 18th February, 1956, namely:—

In the said notification, for the entry "Shri G. W. Hogg, Deputy Superintendent of Collieries, P.O. Dishergarh, District Burdwan", the entry "Shri F. S. Watcha, Deputy Chief Mining Engineer, Tata Iron & Steel Co. Ltd., Jamadoba" shall be substituted.

[No. 3/14/58-MI.]

A. P. VEERA RAGHAVAN, Under Secy.

#### MINISTRY OF INFORMATION AND BROADCASTING

*New Delhi, the 7th April 1961*

**S.O. 847.**—In pursuance of the provisions of sub-section (i) of section 5 of the Cinematograph Act, 1952 (37 of 1952) read with sub-rule (2) of rule 8 of the Cinematograph (Censorship) Rules, 1958 and in supersession of S.R.O. No. 3805

dated 26th December 1955, the Central Government, after consultation with the Board of Film Censors, hereby determines that—

- (1) the Advisory Panel at Bombay shall consist of such number of members not exceeding 35;
- (2) the Advisory Panel at Calcutta shall consist of such number of members not exceeding 20; and
- (3) the Advisory Panel at Madras shall consist of such number of members not exceeding 30.

[No. 11/3/60-FC.]

SHRI BHAGWAN, Under Secy.